



## Event Planner

### Saturday, August 19

**Ohio Democratic Women's Caucus Luncheon, Hilton Columbus Downtown, 401 N High St., Columbus, 11:30 a.m., (Keynote Speaker is Kathleen Sebelius. For more information contact contact Rachel Rossi (rachel@ohiodems.org))**

### Monday, August 21

Sen. Matt Huffman (R-Lima) golf outing fundraiser, Urbana Country Club, 4761 US-36, Urbana, (9:00 am Registration | 10:00 am Shotgun Start | Lunch at the turn on the go | 2:30 pm Short Program. \$1,000 Tournament Sponsor; \$600 Eagle Sponsor; \$200 Hole Sponsor; \$100 Golfer)  
OHROC Lake Erie Boat Cruise and Reception with Speaker Cliff Rosenberger (R-Clarksville), Rep. Steve Arndt (R-Port Clinton), and Rep. Bill Reineke (R-Fremont), Catawba Island Club, 4235 E. Beach Club Road, Port Clinton, 5:30 p.m., (5:30pm Arrive at Catawba Island Club; 6:00pm Depart on Burger Yacht "Gemini"; 8:00pm Reception. Sponsor: \$5,000; Host: \$2,500; Patron: \$1,000; Guest: \$500 to OHROC)

### Thursday, August 24

Sen. Bob Hackett (R-London) golf outing fundraiser, London Country Club, 1199 Spring Valley Rd., London, 9 a.m., (9:00am Registration | 10:00am Shotgun Start. \$1,000 Ace Sponsor, \$700 Eagle Sponsor, \$500 Cart Sponsorship, \$250 Hole Sponsorship, \$150 Cart Sponsorship, \$100 Tee Sponsorship, \$85 Individual to Hackett for Ohio)  
Hamilton County GOP State Legislators golf outing fundraiser, Glenview Golf Course, 10965 Springfield Pike, Cincinnati, 10 a.m., (\$1500 Sponsor; \$300 Hole Sponsor; \$175 Golfer)

### Sunday, August 27

Rep. Theresa Gavarone (R-Bowling Green) shooting fundraiser, Nagle Trucking, 4520 Moline-Martin Road, Walbridge, 1:30 p.m., (Expert: \$250; Sharpshooter: \$100 to Citizens for Gavarone)

### Monday, August 28

Rep. Scott Ryan (R-Newark) golf outing fundraiser, Moundbuilders Country Club, 125 N. 33rd Street, Newark, 10 a.m., (10:00am Registration; 11:00am Shotgun Start. Event Sponsor: \$2,500; Food and Beverage Sponsor: \$1,000; Tee Sponsor: \$750; Foursome: \$500; Individual Golfer: \$125; Green Sponsor: \$100 to Citizens for Scott Ryan)

### Wednesday, August 30

Rep. Adam Miller (D-Columbus) fundraiser, Condados Downtown, 132 S. High St., Columbus, 5 p.m., (Sponsor: \$500 or Suggested Donation: \$250 to Miller for Ohio)

#### Thursday, August 31

Sen. Bill Beagle (R-Tipp City) & Sen. Bob Peterson (R-Sabina) fundraiser, Muirfield Village Country Club, 8715 Memorial Drive, Dublin, 8:30 a.m., (\$500 each committee to Citizens for Bill Beagle and Peterson for Good Government)  
Sen. Gayle Manning (R-N. Ridgeville) fundraiser, Willoway Nursery, 4535 Center Rd. (Route 83), Avon, 5:30 p.m., (\$500 Lilac Sponsor - includes 6 tickets; \$400 Hydrangea Sponsor - includes 4 tickets; \$200 Rose Sponsor - includes 2 tickets; \$125 per Couple | \$75 per Person to Committee to Elect Manning)

#### Sunday, September 10

Rep. Marlene Anielski (R-Walton Hills) Pig Roast Clam Bake fundraiser, Heidelberg Distributing Company, 9101 E. Pleasant Valley Road, Independence, 2 p.m., (Sponsor: \$1,000; Host: \$500; Couple: \$140; Individual: \$75; Dozen Extra Clams: \$15 to Friends of Marlene B. Anielski)

#### Tuesday, September 12

Democratic gubernatorial debate, Martins Ferry High School, 5000 Ayers Limestone Rd., Martins Ferry  
House Speaker Cliff Rosenberger (R-Clarksville) fundraiser, Athletic Club, Gold Rm., 136 E. Broad St., Columbus, 5 p.m., (Chair: \$5,000; Sponsor: \$2,500; Host: \$1,000; Guest: \$500 to Committee to Elect Cliff Rosenberger)

#### Wednesday, September 13

Rep. Jim Hughes (R-Columbus) fundraiser, Plank's Cafeteria 743 Parsons Avenue, Columbus, 5 p.m., (Platinum Level - \$2,500; Gold Level - \$1,500; Silver Level - \$1,000; Bronze - \$500 or \$350 per person to Committee for Jim Hughes)  
Rep. Mark Romanchuk (R-Mansfield) fundraiser, Little Palace, 240 S. 4th Street, Columbus, 5 p.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Romanchuk for State Rep)

#### Thursday, September 14

Rep. Kirk Schuring (R-Canton) fundraiser, Pro Football Hall of Fame, 2121 George Halas Dr NW, Canton  
Sen. John Eklund (R-Chardon) golf outing fundraiser, Kirtland Country Club, 39438 Kirtland Road, Willoughby, 10 a.m., (10:00am Brunch, 11:00am Golf. Friends of John Eklund)  
Sen. Kevin Bacon (R-Minerva Park) fundraiser, Cheney residence, 6988 Greensward Road, New Albany, 6 p.m., (\$1,000 Host | \$500 Sponsor | \$250 per Attendee to Citizens for Kevin Bacon)

**Friday, September 15**

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Rep. Bob Cupp (R-Lima) golf outing fundraiser, Tamarac Golf Course, 500 N. Stevick Road, Lima, 9 a.m., (9:00am Registration; 10:00am Shotgun Start. Event Sponsor: \$1,000; Tee Sponsor: \$500; Foursome: \$400; Green Sponsor: \$350; Lunch Sponsor: \$250; Individual Golfer: \$125 to Cupp for State Representative Committee)

**Monday, September 18**

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Sen. Cliff Hite (R-Findlay) golf outing fundraiser, Eagle Rock Country Club, 211 Carpenter Rd., Defiance, (The Committee to Elect Cliff Hite)

**Tuesday, September 19**

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Rep. Tavia Galonski (D-Akron) fundraiser, Westies Gastropub, 940 S. Front Street, Columbus, 5:30 p.m., (Sponsor \$1,000, Host \$500, Friend \$350 to Friends of Tavia Galonski)

**Wednesday, September 20**

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Rep. Brian Hill (R-Zanesville) and Rep. Al Landis (R-Dover) fundraiser, OHROC, 21 W. Broad Street, Floor 7, Columbus, 11:30 a.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Brian D. Hill for State Representative and/or Friends for Allen Landis)  
Rep. Andy Thompson (R-Marietta) and Rep. Wes Goodman (R-Cardington) fundraiser, The Keep, 50 W. Broad Street, Columbus, 5 p.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Andy Thompson for State Representative and/or Friends of Wes Goodman)

**Thursday, September 21**

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Republican Senate Campaign Committee fundraiser, Basil's on Market, 312 N Patterson Boulevard, Dayton, 5:30 p.m., (\$5,000 Event Chair | \$2,500 Event Co-Chair | \$1,500 Event Sponsor | \$1,000 Event Host | \$500 Individual to RSCC)

**Monday, September 25**

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Rep. Gary Scherer (R-Circleville) golf outing fundraiser, Cooks Creek Golf Club, 16405 U.S. Highway 23, Ashville, 11 a.m., (11:00am Registration and Lunch; 12:00pm Shotgun Start. Event Sponsor: \$1,500; Green Sponsor: \$750; Foursome: \$500; Individual Golfer: \$125; Hole Sponsor: \$100 to Friends of Gary Scherer)  
Sen. Frank LaRose (R-Hudson) golf outing fundraiser, Firestone Country Club, 452 East Warner Road, Akron, 11:30 a.m., (Lunch & Range Time 11:30am. Tee times starting at 1:05pm. \$300 Lunch Only | \$1,000 Lunch and Golf to LaRose for Ohio)

**Thursday, September 28**

Sen. President Larry Obhof (R-Medina) shotgun and pig roast fundraiser, Hill'n Dale Club, 3605 Poe Road, Medina, 2 p.m., (2:30-3:00pm - Sign in/Registration/ Meet and greet with Senator Obhof in the Hill'n Dale Lodge; 3:00 pm - Clay Shooting: 5-Stand with Group or Optional Course on your Own. 5:00-6:00pm - Dinner. \$500 Distinguished Expert/Station Sponsor: \$250 Sharp Shooter: \$150 First Class: \$100 Marksman: \$75 Sponsor to Citizens for Obhof)

#### Friday, September 29

Sen. Joe Uecker (R-Loveland) Day at the Races fundraiser, Belterra, 6301 Kellogg Rd., Cincinnati, 12:30 p.m., (11:30am Park Opens | 12:30pm Lunch | 1:45pm Live Racing Begins. \$1500 Triple Crown | \$1,000 Champion | \$750 Winner's Circle | \$500 Thoroughbred | \$250 Jockey Club | \$100 per Attendee The Committee to Elect Joe Uecker)

#### Sunday, October 1

Sen. Bob Peterson (R-Sabina) fall fest fundraiser, Peterson Farm, 5564 Grassy Branch Rd., Sabina, 4 p.m., (\$25 per Person or \$50 per Family to Peterson for Good Government)

#### Monday, October 2

OHROC Chairman's Cup golf outing fundraiser

#### Wednesday, October 4

Sen. Troy Balderson (R-Zanesville) & Sen. Stephanie Kunze (R-Hilliard) fundraiser, Muirfield Village Country Club, 8715 Memorial Drive, Dublin, 8:30 a.m., (\$500 each committee to Troy Balderson for State Senate and Citizens for Stephanie Kunze)

#### Thursday, October 5

Sen. Louis Terhar (R-Cincinnati) fundraiser, Schilderink residence, 9675 Cunningham Road, Cincinnati, 6 p.m., (\$2,500 Event Sponsor | \$1,000 Sponsor | \$500 Host | \$250 Couple | \$200 Individual to Friends of Lou Terhar)

#### Sunday, October 8

Republican gubernatorial candidate forum, Genoa Baptist Church, 7562 Lewis Center Rd., Westerville, 7 p.m., (Sponsored by Citizens for Community Values and Salem Media of Ohio)

#### Wednesday, October 11

Rep. Terry Johnson (R-McDermott) fundraiser, Oliver's, 26 N. High Street, Columbus, 11:30 a.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Terry Johnson for State Rep)

Speaker Cliff Rosenberger (R-Clarksville) fundraiser, Athletic Club of Columbus - Gold Room, 136 E. Broad Street, Columbus, 5 p.m., (Chair: \$2,500; Host: \$1,000; Sponsor: \$500 to Committee to Elect Cliff Rosenberger)

Sen. Lou Terhar (R-Cincinnati) fundraiser, Fleming residence, 2374 Brixton Road, Columbus, 5:30 p.m., (\$2,500 Event Sponsor | \$1,000 Sponsor | \$500 Host | \$250 Couple | \$200 Individual to Friends of Lou Terhar)

**Friday, October 13**

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OSBA Law & Media Conference, Ohio State Bar Association, 1700 Lake Shore Dr., Columbus, 9:30 a.m., (Registration at 8:30 a.m. For more information contact Halle Malcomb, [hmalcomb@ohiobar.org](mailto:hmalcomb@ohiobar.org))

**Tuesday, October 17**

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Republican Senate Campaign Committee pig roast fundraiser, Land Grant Brewery, 424 W. Town St., Columbus, 5 p.m., (\$10,000 Whole Hog Sponsor | \$5,000 Half Hog Sponsor | \$2,500 Loin Sponsor | \$1000 Bacon Sponsor | \$500 per Attendee to RSCC)

**Wednesday, October 18**

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Sen. Stephanie Kunze (R-Hilliard) fundraiser, Scioto Country Club, 2196 Riverside Dr., Columbus, 5:30 p.m., (Event Sponsor \$1000, Event Host \$500, \$150 per couple, \$100 per individual to Citizens for Stephanie Kunze)

**Thursday, October 19**

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Sen. Bill Beagle (R-Tipp City) shooting fundraiser, Vandalia Range and Armory, 100 Corp Center Drive, Vandalia, 5:30 p.m., (Please make checks payable to Citizens for Bill Beagle)

**Wednesday, November 1**

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Rep. Craig Riedel (R-Defiance) and Rep. Kristina Roegner (R-Hudson) fundraiser, Due Amici, 67 E. Gay Street, Columbus, 11:30 a.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Citizens to Elect Craig Riedel and/or Kristina Daley Roegner for Ohio)

**Wednesday, November 29**

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Ohio House Republican Organizing Committee fundraiser, Athletic Club of Columbus - Gold Room, 136 E. Broad Street, Columbus, 5 p.m., (Chair: \$2,500; Host: \$1,000; Sponsor: \$500 to OHROC)

**Wednesday, February 28**

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Ohio Cable Telecommunications Association Legislative Luncheon, Renaissance Hotel, 50 N. 3rd St., Columbus, 12 p.m.

**Monday, June 4**

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**Ohio Cable Telecommunications Association Golf Outing, The Lakes, 6740  
Worthington Rd., Westerville**

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Worthington Rd., Westerville**

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## Volume #86, Report #160 -- Friday, August 18, 2017

### Reducing Regulations Among Legislative Priorities For Fall

With the biennial budget, veto overrides notwithstanding, in the rearview mirror, Senate President Larry Obhof hopes his chamber will work on legislation designed to make life easier for businesses.

One way the Medina Republican plans to do that is not by adding new laws, but by removing or simplifying old ones.

"We'll focus on getting government red tape and regulation out of the way and hopefully continue to build our economy and build off the improvements we've made the last few years," Sen. Obhof said this week.



Sen. Obhof

One of the priorities for the Senate Republicans leader includes finding bits of regulation that are burdensome for business and aren't working the way they're supposed to. He said he wanted each member of his caucus to find examples of failing regulation and work to fix them, whether by eliminating language or streamlining it.

"We talk a lot on the campaign trail, both parties do, about getting red tape and regulations out of the way," he said. "When you get to work, people start to pass new laws and regulations."

"We ought to all go out and find one example of something that's not working right and get rid of it," he continued. "They don't have to be big things, necessarily, but the more

things like that that we do, you're slowly but surely making it easier for some small business owners."

Even if the change doesn't affect every Ohioan, he said, it could be significant for the few it does affect.

"I think we're going to be pretty serious this fall about trying to get rid of parts of the Ohio Revised Code, scale them back, make them easier to understand, easier to read, removing some of the hurdles government has put in the way of our job creators," he said.

Other priorities for the fall include economic development, the opioid crisis and workforce development, he said.

The Senate will be in session Tuesday, with the agenda expected to focus heavily on budget veto overrides. More override votes are possible in September, Sen. Obhof said.

The chamber will also see some committee action Tuesday, including the Senate Health, Human Services and Medicaid Committee, which will hear a bill (SB 164) to ban abortions based on a Down syndrome diagnosis.

On the House side, the post-budget plan is still in the works, said Brad Miller, a spokesman for Speaker Cliff Rosenberger (R-Clarksville).

"Legislative priorities for the fall are still under consideration and will be the product of conversations and input between the Speaker and members of the caucus," Mr. Miller said in an email.

Some of the House's work could stem from the speaker's task forces, some of which have begun their work, including one on education and poverty (See Gongwer Ohio Report, July 17, 2017) and another on Alzheimer's and dementia (See Gongwer Ohio Report, August 8, 2017).

#### **High Court Sets Oral Arguments in Abortion Cases**

The state's highest court will hear two high-profile abortion cases in September, including one that has triggered calls for a justice's recusal.

Both cases stem from abortion-related provisions in the 2014-15 state budget (HB59 130<sup>th</sup> General Assembly).

The first case, set to be heard on Sept. 12, was brought to the high court by the Department of Health, which has defended the constitutionality of restrictions imposed on a Toledo abortion clinic. (Docket)

The case is the result of a 2014 department decision to shutter the city's last abortion clinic, Capital Care Network of Toledo, after it determined a patient transfer agreement it had inked with an Ann Arbor hospital ran afoul of state law because the facility was not "local."

However, both the Lucas County Common Pleas Court and the Sixth District Court of Appeals sided with the clinic, which has remained open.

ODH argues that the decision to shutter the clinic was lawful, the one-subject rule was not violated by placing the requirement in the budget, the clinic did not raise an "undue burden" challenge and the ambulatory requirement is constitutional.

The "undue burden" standard, which was used by the lower courts to strike down the requirement, was created by the U.S. Supreme Court in the case of *Planned Parenthood v. Casey*.

However, ODH argues that the high court should not view the case through that lens because the clinic did not raise the issue.

"The court should vacate the undue burden holding and set the issue aside, as the clinic never raised such a challenge. And as part of not raising it as a legal issue, the clinic also never presented any factual evidence to meet its burden to overcome the law," ODH wrote in a court filing.

"Vacating the holding still allows this clinic or any other abortion clinic to raise an undue burden challenge in a separate case, and indeed, at least two clinics are doing so in a federal case."

Among the clinic's arguments are that the 2013 budget violated the single-subject rule, that the provision amounts to an undue burden and that it is unconstitutional.

"The three transfer agreement provisions were introduced late in the legislative process as riders to the budget bill with little or no opportunity for public debate. At the end of the state budget process Ohio legislators buried controversial anti-abortion provisions in the several thousand pages of a budget bill that was sure to pass," the brief reads.

"The written transfer agreement provisions, which are inherently controversial and of significant constitutional import, were not debated and approved during a fair and open legislative process. HB59 frustrates the single-subject rule's purpose of preventing logrolling and ensuring 'a more orderly and fair legislative process.'"

The case already stirred controversy after Justice Sharon Kennedy spoke at a Greater Toledo Right to Life event in March. That led NARAL Pro-Choice Ohio to unsuccessfully call on her to recuse herself in the case.

This week, Capital Care attorney Jennifer Branch made an official request for Justice Kennedy's recusal in a filing with the court.

"Since this court accepted jurisdiction in this case, Justice Kennedy's impartiality in deciding this case involving an abortion provider has been reasonably questioned by various Ohioans due to her connections to anti-abortion and pro-life organizations," the attorney wrote.

ProgressOhio also filed an ethics complaint against Justice Kennedy that was recently dismissed.

The second case, slated for oral arguments on Sept. 26, was also brought forward by the state after two lower courts found a Cleveland-based clinic had standing to sue over several abortion-related provisions in the budget bill. (Docket)

Along with the transfer agreement provision, Preterm-Cleveland has also taken issue with a ban on public hospitals from entering into those agreements and a requirement that doctors inform pregnant women about a detectable heartbeat.

"Preterm's change of conduct to avoid running afoul of these new requirements constitutes injury-in-fact for standing purposes, traceable to the enactment of HB59," its brief reads. "Its requested relief - an order declaring that HB59 violates the one-subject rule and severing and enjoining the provisions it has shown create disunity - will redress Preterm's injury and cure the identified constitutional defect."

The state, however, argues that the abortion clinic does not have standing to sue because it has not been able to demonstrate that it has been injured by the budget provisions.

"Ohio's Constitution allows courts to hear only justiciable controversies involving parties with standing, so relaxing the rules is unconstitutional. Applying the rules here is straightforward: Preterm must show standing as to each provision it challenges, and it fails on all counts," the state's brief reads.

#### **Few Districts Meet Recommendation To Delay Start Of School Day**

Most students heading back to school over the next few weeks won't be reporting to first period any later than in past years, despite district attempts to accommodate research that shows later start times can be beneficial to student health.

Various districts throughout the state report studying later start times in the last few years, but a recent accounting of states where schools have made changes doesn't include Ohio.

Schools in at least 19 states delayed starting bell times for the new academic year, according to a Start School Later report. They include a handful of schools in the surrounding states of Michigan, Pennsylvania, and Indiana.

"Every year we see more and more schools delaying bell times to improve student sleep, health, and learning," Start School Later Executive Director Terra Ziporyn Snider

said. "Not all of them will be starting middle and high schools at 8:30 or later, as health professionals recommend, but they are moving to schedules that are healthier and safer for many more students."

The American Academy of Pediatrics, National PTA, American Medical Association, the Centers for Disease Control and Prevention, the National Association of School Nurses, and the Society of Pediatric Nurses are among the groups backing later start times.

Although Ohio doesn't keep track of when districts are starting the day, Start School Later has determined that about 7:30 a.m. is the most common time for middle and high school students to head to first period. The national average is 7:59 a.m., according to the CDC.

Those times conflict with research that shows students, particularly teens, get their best sleep between 11 p.m. and 8 a.m.

Stacy Simera, a spokeswoman for Start School Later, said students who lack sleep are more likely to be obese, have trouble focusing in school, suffer sports injuries, be involved in car accidents, and become addicted to drugs, among other issues.

The connection between additional sleep for teens and improved health and academic outcomes has caught the attention of district leaders, but resulting changes to bell schedules in Ohio have been few and far between. Districts often point to increased costs as the reason for maintaining the status quo.

Olentangy Local School District, which is the seventh largest district the state, is among those that studied the possibility of later start times over the last few years, but chose not to move forward with them. It announced over the summer that changes would require purchasing an additional 141 school buses at a cost of \$12.5 million and adding \$7.8 million in annual operating costs.

Like others who've looked into making moves, the district also determined that parents of elementary students don't support earlier start times for their students so that later middle and high school times can be accommodated.

Bus schedules and concerns about child care "are two of the principal challenges in terms of trying to move the start times," said Tom Ash, director of governmental relations for the Buckeye Association of School Administrators.

"You have districts that, in order to economize (busing), have what are known as double, triple and even quadruple runs, so they might even be serving two, three or four schools with kids of different ages," he said. "So that becomes an issue."

Mr. Ash said districts aren't dismissing the research on earlier start times, they're just simply running into roadblocks to implement them.

There are districts that have modified start times without increased costs, though, Ms. Simera contended. If there are costs, she said that they shouldn't be a deal breaker.

"Not only can every school afford healthy start times, schools can no longer afford not to. As an Ohio taxpayer and mental health clinician, it concerns me that we are ignoring such low-hanging fruit in fighting two Ohio-specific epidemics: obesity and substance abuse - both of which are correlated with chronic deficient sleep," she said.

"While we know there are many factors involved in obesity and substance abuse, we should certainly address one of the known factors that we can greatly influence - namely healthy sleep."

According to Start School Later, districts that have pushed back start times without incurring additional costs include Hudson, Dublin, Kenston, and Perrysburg schools. Westlake and Parma schools also pushed back start times when they eliminated busing for high school students.

### **Ohio Unemployment Rate Moves Up To 5.2%**

The biggest increases occurred in leisure and hospitality (+5,200), local government (+3,900) and financial activities (+1,200) sectors. July's biggest losses were in goods-producing industries (-2,700) and business services (-2,400).

Over the last 12 months, Ohio added 47,500 jobs, led by private service providers (37,700) and construction (5,900), ODJFS reported. The larger drops occurred in trade, transportation, and utilities (-4,900) and durable goods manufacturing (-1,800).

Rea S. Hederman Jr., executive vice president at the Buckeye Institute, said that along with the labor market dip, Ohioans stopped looking for work as labor force participation fell to national levels at 62.9%.

"In addition, private sector job opportunities continued the stream of bad news, with 2,500 fewer private sector jobs in July compared to June," he said.

"Overall, the Ohio July jobs report is a sober one," Mr. Hederman said. "While one month of data can be a statistical anomaly, policymakers should begin considering measures to increase economic opportunities in Ohio's private sector."

Policy Matters Ohio observed that without the growth in public sector jobs, the state would have lost positions last month. The group reiterated its criticisms of GOP tax policies in recent years.

"State tax giveaways to corporations and the wealthy have not produced the promised job growth. Instead, we have lost the revenue we need to invest in policies like need-based college financial aid that help build the middle class," PMO researcher Hannah Halbert said. "Federal policymakers would be well-served by studying Ohio's

performance before implementing tax changes that overwhelmingly benefit the wealthiest in the nation."

### **Roegner Announces Senate Bid; Buckeye Institute Opines On Potential Veto Overrides**

Rep. Kristina Roegner announced her intent to run for the Senate seat currently occupied by term-limited Sen. Frank LaRose.

The Hudson Republican, who is term limited in the House, said her goals if elected to the Senate would be much the same as her priorities in her current seat representing the 37<sup>th</sup> House District.

"It would absolutely be the same as it's been in the House," she said. "Continue to help set a stage that's inviting to businesses in Ohio and that includes regulatory reform which I've done a lot of in individual industries."

Making the tax climate more competitive with other states by lowering taxes and strengthening the education system would also be priorities, the representative said. So too would be legislation like her pending cosmetology bill (HB 189) which she said would "make it easier and smoother for people to get jobs and not jump through so many hurdles in government."

"I'm going to continue the work we've started and continue that onto the Senate," she said. "I want to make sure government doesn't waste taxpayer dollars. If we can spend taxpayer dollars smarter and get more for it that's what we need to do."

The 27<sup>th</sup> Senate District encompasses all of Wayne County and parts of Summit and Stark. Other incumbent House members whose districts align with that district include term-limited Rep. Marilyn Slaby and freshman Rep. Scott Wiggam.

Rep. Roegner reported receiving \$78,000 since January in her recent semiannual report, leaving her with about \$78,700 in cash on hand.

**Veto Overrides:** The Buckeye Institute is weighing in on several outstanding budget veto overrides the Senate may take up next week.

Senators are expected to return Tuesday to consider some of the 11 overrides the House approved in July. How many overrides and which specifically the chamber will choose to take up isn't clear. (See Gongwer Ohio Report, August 16, 2017)

Among overrides the Institute is urging senators to approve are the governor's vetoes of the Healthy Ohio waiver and of language creating legislative oversight of Medicaid spending increases.

But the group is asking senators to let stand the governor's veto on the Medicaid managed care sales tax replacement plan.

"We agree with Gov. Kasich's veto of the proposed replacement for local Medicaid sales tax revenues and we were disappointed that the Ohio House overrode the governor's veto," said Greg Lawson, an institute research fellow. "This proposal is a tax on insurance plans and as with most government taxes, it is highly unlikely that this new tax will be 'temporary.' It is time for local governments to go to their voters and convince them of the need to raise local taxes for local services rather than blaming Columbus for their inability to spend wisely."

**Issue 2:** Proponents of the controversial Issue 2 - also known as the "Drug Price Relief Act" - praised ballot language approved by the Ballot Board Thursday.

Yes on Issue 2 and its counterpart, Ohioans Against the Deceptive Rx Ballot Issue, negotiated compromise ballot language that the board then signed off on with little discussion.(See Gongwer Ohio Report, August 17, 2017)

Both sides said the language presented an accurate description of the November ballot issue, which would prohibit the state from purchasing prescription drugs for prices beyond what the U.S. Department of Veterans Affairs pays.

"Voters in Ohio are well-informed, smart and angry at the greedy drug companies that have been price-gouging the sick and suffering, and putting profits before patients," said Dennis Willard, a spokesman for the proponents. "The language is simple and straightforward just like our plan to lower drug prices for 4 million Ohioans and save taxpayers \$400 million a year."

Opponents claim the statute, if adopted by voters, would actually drive the cost of drugs higher.

#### **OSU Study: \$152M in Lost Property Value Thanks To Algal Blooms...**

Harmful algal blooms in Ohio have cost homeowners \$152 million in lost property value over the last six years, according to researchers.

That figure comes from a new Ohio State University study that examined the financial impacts of blooms in Buckeye Lake and Grand Lake St. Marys. A second study quantified the financial impact of blooms to sport fishing revenue generated by Lake Erie.

OSU bills the reports, published respectively in *Ecological Economics* and the *Journal of Environmental Management* as the first of their kind to put a dollar figure on the impact of algae. Researchers said they hope the studies will equip lawmakers with new information to create adequate algae prevention and cleanup resources.

"Our biggest takeaway is that efforts to prevent and mitigate algal blooms have real, tangible benefits for Ohioans, including property values," said Allen Klaiber, associate professor of agricultural, environmental and development economics at OSU.

The first study examines property values in the two interior lakes, finding that total values fell \$152 million from 2009-2015. Sales prices for homes within one-third of a mile from the lake fell 11-17% while adjacent homes saw prices dropping more than 22%, the report found.

In Buckeye Lake the drop was more severe, with the loss of \$101 million in home sales over six years. Grand Lake St. Marys saw a \$51 million loss.

Regarding Lake Erie, which fuels a \$1.7 billion tourism industry, simulations showed a "moderate" bloom would result in a 10-13% decrease in fishing license sales within 12 miles of the lake.

A severe bloom, akin to what occurred in 2011, would lead to 3,600 fewer licenses sold and as much as \$5.6 million in lost revenue in a single summer, the researchers determined.

**Governor Appointment Reaction:** The Ohio Environmental Council praised Gov. John Kasich's recent appointment of Sarah Spence to the Public Benefits Advisory Board. Ms. Spence is OEC's director of government affairs and was appointed this week.

"The board works with the director of the development services agency to ensure energy services are provided to low-income consumers in Ohio in an affordable manner," said Aryeh Alex, the OEC's vice president of public affairs. "Sarah is the right person for the job, and will add a strong environmental voice to the governor's administration."

**Rover:** A cease-and-desist order from the government of West Virginia was recently lifted, clearing the Rover Pipeline project to continue. That's over the objections of environmental groups who argue the project is harming the environment.

Meanwhile, a new *Bloomberg* analysis determined that the Rover project has set a new record for environmental violations. The publication determined the project, since its approval in February, has racked up more violations than any other major interstate natural gas pipeline built in the last two years.

Rover filings showed 104 negative inspection reports, according to *Bloomberg*. The next closest was the Williams' Virginia Southside Expansion which reported 26 violations.

To be fair, the 710-mile Rover is a longer pipeline than other projects included in the analysis. Still, the next longest - the 515-mile Enbridge Sabal Trail - reported 18 violations.

Energy Transfer Partners, the company behind the project, said it is working with regulatory agencies at all levels to meet safety and environmental regulations. But

friction continues between the company, opponents and regulatory agencies in Ohio and beyond. (See Gongwer Ohio Report, August 7, 2017)

### **Report Links STEM Skills, Quality Pre-K; President Approves GI Bill Expansion**

Business and military leaders are calling on state leaders to focus on early childhood education to ensure students are better prepared to enter the future workforce.

They joined Council for Strong America this week to release a new report highlighting the correlation between high-quality Pre-K and STEM skills.

The analysis also details projections for STEM workforce growth - an area that military and tech business stakeholders said during a Dayton press conference is a major concern. Health and computer technology industries are expected to grow by as much as 37% nationwide in the coming years, they said.

Currently, 65% of eighth graders aren't proficient in math and 60% aren't proficient in science, the report shows. About one-third of college students, meanwhile, require remediation in math or English.

"As a result, employers - both in the private sector and the military - are struggling to find the STEM skilled workforce they need," the authors of the report wrote. "That is why business and military leaders in Ohio are calling on policymakers to invest more in high-quality early education where STEM skills take root."

According to the report, research shows that individuals with early exposure to math have improved abilities in the subject area later on and that early learning supports cognitive abilities as well as social and emotional skills that are beneficial in STEM career fields.

"The young people we will seek to recruit for the military, postsecondary education, and private sector jobs in less than 15 years should be entering pre-K today," former Adjutant General Deborah Ashenhurst said in a statement. "A greater investment in high-quality pre-K will have lasting impact for our children, for Ohio, and for our nation."

**GI Bill:** The president this week signed bipartisan legislation to expand education opportunities to post-9/11 veterans and restore GI Bill benefits to those who attended now-defunct technical colleges.

The bill removes a 15-year time limit on the benefits, allowing veterans and their dependents to use them for life. Among other things, it also extends eligibility for reservists, provides full benefits for Purple Heart recipients and increases GI Bill payments by \$2,300 per year for veterans with less than 12 months of active service.

U.S. Sen. Sherrod Brown (D-Cleveland), who helped draft the measure, applauded its enactment.

In particular, he pushed for provisions that restore benefits to veterans who attended shuttered career technical colleges and alert veterans to schools offering priority enrollment

"Ohio veterans deserve better than to have the rug pulled out from under them by for-profit colleges," Sen. Brown said in a statement. "This bill is an important step towards rectifying the fraudulent practices of these schools and restoring and expanding the GI benefits our veterans have earned."

The measure also expands eligibility for the Department of Veterans Affairs' Yellow Ribbon Program to spouses and children of service members who died in combat. The program that helps students avoid out-of-pocket college costs above their GI Bill benefits is currently available only to veterans and spouses and children of service members.

**Insurance:** An insurance checklist for college students and their parents is now available from the Department of Insurance.

The checklist details insurance options for illness and injury, dental and eye care, personal protections and liability, renters and vehicles.

"Life away from home is a great opportunity for young adults to learn and grow, but it also presents considerations and challenges," ODI Director Jillian Froment said. "It is important that students and parents conduct an insurance review and consider including an insurance agent in the process."

**Survey:** The Ohio Department of Education is seeking input on proposed updates to Ohio's model curriculum for English and math in grades K-12. An online survey will be open through Sept. 13.

The model curriculum, which is set to go before the State Board of Education for approval this fall, will serve as a guide for teachers to help them better understand the knowledge and skills required under Ohio's Learning Standards - the basis for state tests.

#### **Agency Briefs: RFP Issued For Marijuana Monitoring System: AC, SOS, EPA, BWC, MHAS, DNR**

The state's Medical Marijuana Control Program is seeking a contractor for a system to monitor video surveillance at growers, processors and dispensaries.

The Department of Commerce issued the request for proposals this week as the program's rules, which cleared the Joint Committee on Agency Rule Review at the end of July, were officially filed.

The rules go into effect Sept. 8. They cleared JCARR after a nearly yearlong development process that began following the program's enabling legislation, which went into effect last fall. (See Gongwer Ohio Report, July 31, 2017)

The RFP for the video management system requires one that can accept feeds from any camera operator and allow the state to see inside facilities at any time.

"Given an initial camera population of over 1,000 cameras across an Ohio medical marijuana entity facility population of 100+ facilities, the State requires an efficient means of monitoring camera operational status as well as an efficient path for identifying a particular camera at a particular facility for real-time camera viewing," the state said in its description.

**Attorney General:** Mike DeWine and attorneys general from 49 other states and territories urged Congress to amend the Communications Decency Act of 1996 to clarify that states and local governments can investigate and prosecute facilitators of child sex trafficking wherever they operate, including online.

"The proposed amended language to the Communications Decency Act will help to ensure that citizens and children are effectively protected throughout the entire country, in all courts," Attorney General DeWine said in a statement. "The intention of the Communications Decency Act is to protect children from indecent material online. It was never intended to place facilitators of child sex trafficking outside the reach of law enforcement."

Courts have interpreted the current language to allow only federal authorities to take action against companies that facilitate sex trafficking. The AGs urged in their letter for the law to be clarified.

**Secretary of State:** Jon Husted announced that all filings required to start or maintain a business in Ohio can now be submitted online. Owners can also submit all Uniform Commercial Code statements and certified search requests through the web, he said.

"Since day one, our office has committed itself to working on behalf of job creators and entrepreneurs to make it easier to start and maintain a business in Ohio," Secretary Husted said in a statement. "By improving the way our office does business, we are helping companies cut costs, save time, and reduce administrative burden so they can focus on providing quality services and products, as well as create jobs."

The secretary's office also announced that 8,800 new entities filed to do business in the state in July, up 1,279 compared to the previous July. A total of 71,979 entities have filed in Ohio this year.

**Ohio EPA:** The agency will hold a public hearing next week to receive comments on proposed water quality standards, including standards covering pesticides, dredged material and E. coli.

The hearing will begin at 10:30 a.m., Wednesday, in the Ohio EPA Conference Center at 50 West Town Street in Columbus.

Written comments can be sent to Rules Coordinator, Ohio EPA Division of Surface Water, P.O. Box 1049, Columbus, Ohio 43216-1049, or emailed to [dsw\\_rulecomments@epa.ohio.gov](mailto:dsw_rulecomments@epa.ohio.gov), through Aug. 23.

**Workers' Compensation:** The bureau announced that seven employers and injured workers who attempted to defraud the agency were convicted in July. The BWC's special investigations department has totaled 90 convictions so far this year.

"Workers' compensation fraud raises the cost of the system for everyone involved," said SID Director Jim Wernecke. "I hope these latest convictions serve as a reminder to those attempting to steal from BWC: We have investigators all over the state. We will find you, bring you to justice and make you repay the funds you illicitly acquired."

**Mental Health and Addiction Services:** The department said it is conducting a needs assessment with treatment providers as part of activities connected to the federal 21<sup>st</sup> Century CURES Act. The department is collecting information on what providers are doing and what needs they have for treating people with opioid-related disorders.

The assessment runs through Sept. 8. Providers who did not receive invitations can contact Laura Potts at [laura.potts@mha.ohio.gov](mailto:laura.potts@mha.ohio.gov).

**Natural Resources:** The department announced it will hold special deer hunts at six state nature preserves across the state. Drawings will be held for the hunts, and entries cost \$5.

#### **Governor's Appointments**

**Ohio University Board of Trustees:** Stephen P. Casciani of Delaware (Delaware Co.) for a term beginning Aug. 18 and ending May 13, 2026.

#### **Supplemental Agency Calendar**

**Tuesday, August 22**

Public Facilities Commission, 35th Fl., 30 E. Broad St., Columbus, 2 p.m.

**Thursday, August 24**

BWC Board of Directors, Rm. 3, Level 2, 30 W. Spring St., Columbus, 8:30 a.m. (The Investment Committee will meet 8:30 to 10:30 a.m.; the Actuarial Committee 10:30 a.m. to noon; the Medical Services & Safety Committee 1 to 2 p.m.; the Governance Committee 2 to 2:30 p.m.; and the Audit Committee 2:30 to 4 p.m. The Actuarial, Governance and Audit Committee meetings may begin earlier if the preceding meeting adjourns earlier than scheduled.)

**Friday, August 25**

BWC Board of Directors, Rm. 3, Level 2, 30 W. Spring St., Columbus, 8 a.m.

**Monday, August 28**

Southern Ohio Agricultural & Community Development Foundation, 100 S. High St., Hillsboro,  
9:30 a.m.

**Wednesday, September 13**

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Petroleum Underground Storage Tank Release Compensation Board, Suite 1500, 50 W. Broad  
St., Columbus, 10 a.m.

100 S. High St., Suite 630

Columbus Ohio 43215

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## Daily Activity Planner for Saturday, August 19- Monday, August 21

### Legislative Committees

Monday, June 4

Canceled: Joint Committee on Agency Rule Review (Committee Record) (Chr. Duffey, M., 644-6030), Rm. 121, 1:30 p.m.

### Agency Calendar

Monday, August 21

Controlling Board, North Hearing Rm., Senate Bldg., Columbus, 1:30 p.m.

### Event Planner

Saturday, August 19

Ohio Democratic Women's Caucus Luncheon, Hilton Columbus Downtown, 401 N High St., Columbus, 11:30 a.m., (Keynote Speaker is Kathleen Sebelius. For more information contact contact Rachel Rossi (rachel@ohiodems.org))

Monday, August 21

Sen. Matt Huffman (R-Lima) golf outing fundraiser, Urbana Country Club, 4761 US-36, Urbana, (9:00 am Registration | 10:00 am Shotgun Start | Lunch at the turn on the go | 2:30 pm Short Program. \$1,000 Tournament Sponsor; \$600 Eagle Sponsor; \$200 Hole Sponsor; \$100 Golfer)

OHROC Lake Erie Boat Cruise and Reception with Speaker Cliff Rosenberger (R-Clarksville), Rep. Steve Arndt (R-Port Clinton), and Rep. Bill Reineke (R-Fremont), Catawba Island Club, 4235 E. Beach Club Road, Port Clinton, 5:30 p.m., (5:30pm Arrive at Catawba Island Club; 6:00pm Depart on Burger Yacht "Gemini"; 8:00pm Reception. Sponsor: \$5,000; Host: \$2,500; Patron: \$1,000; Guest: \$500 to OHROC)

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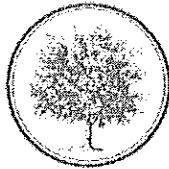
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## THE BUCKEYE INSTITUTE

Buckeye's Greg Lawson recently authored the below piece for the *2017 Index of Culture and Opportunity* which is published by the Heritage Foundation. The index evaluates a range of factors needed to sustain freedom and opportunity in America.

### A Mixed National Jobs Picture

The Heritage Foundation's *2017 Index of Culture and Opportunity*  
By Greg R. Lawson

Key job metrics over the past decade paint a mixed national jobs picture. On one hand, the number of job openings over that time shows a positive path and indicates relative optimism in the economy. On the other hand, the actual hiring rate fell, which suggests that not all is well in the labor market. Taken together, this shows the need to continue improving the environment for economic opportunities that can help all Americans.

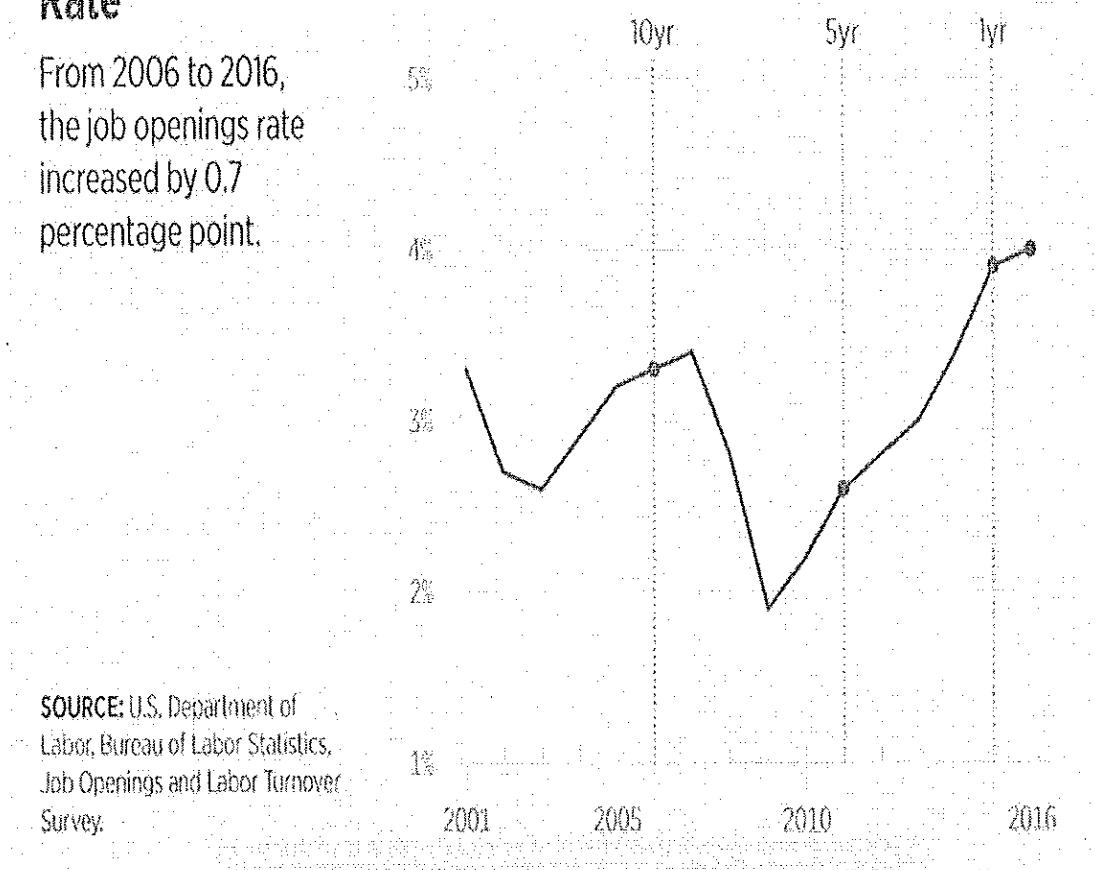
Given the "Great Recession" of 2007-2009, it is heartening to see that the overall job-opening rate has managed to achieve a positive direction. According to the U.S. Department of Labor Jobs Openings and Labor Turnover Survey (JOLTS), the number of job openings grew by 0.7 percentage point between 2006 and 2016.[1] This set of data is critical to understanding how many job opportunities exist in the economy. The higher this number and growth rate, the greater the chances an individual looking for work will be able to find it.

CHANGES | 10-year ▲ 0.7 | 5-year ▲ 1.4 | 1-year ▲ 0.1

## Job Openings Rate

From 2006 to 2016, the job openings rate increased by 0.7 percentage point.

MONTHLY JOB OPENINGS/VACANCIES AS A PERCENTAGE OF ALL PRIVATE-SECTOR JOBS AND JOB OPENINGS



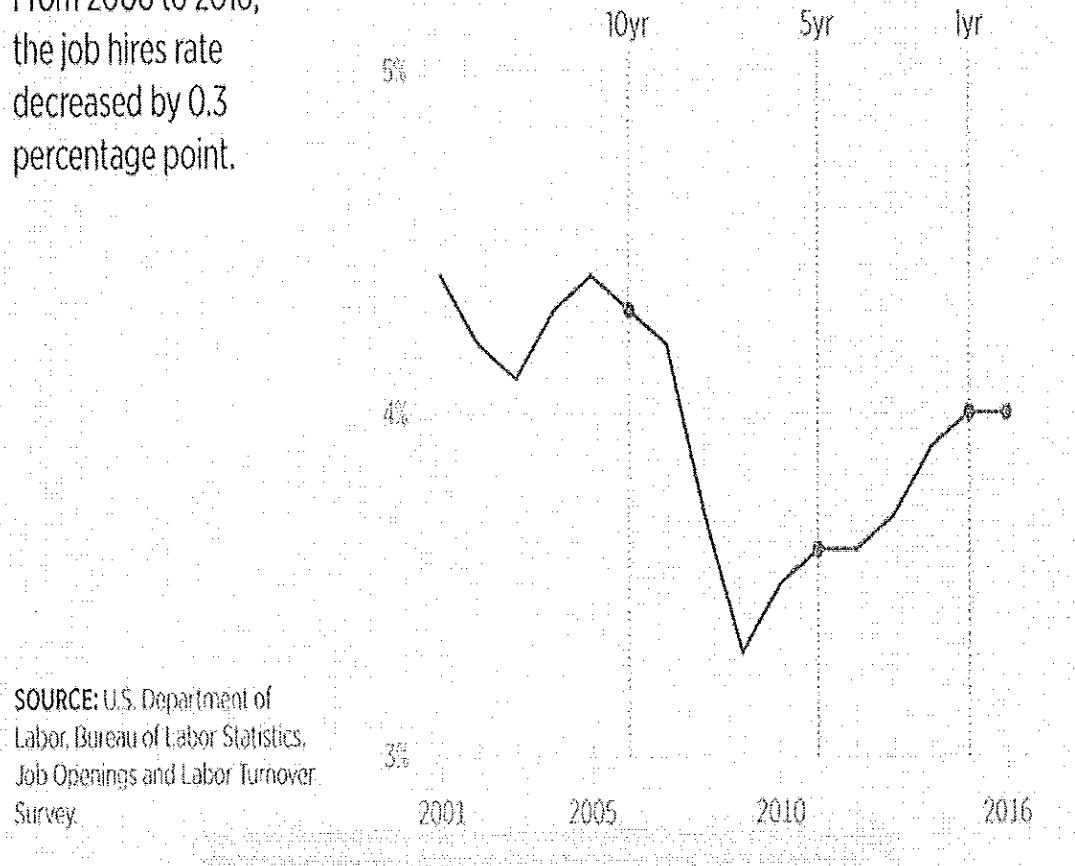
Yet the JOLTS data also show that actual hiring rates declined over the same 10 years by 0.3 percent.[2] One clear implication of this divergence is that there remains a significant challenge within the overall labor force. According to the Bureau of Labor Statistics (BLS), in January 2006, the labor force participation rate (LFPR) in the United States was a reasonably healthy 82.6 percent for the cohort aged 25-54 (the prime-working age population).[3] Yet by December 2016, it was only 81.4 percent and had remained mired at or below 81 percent since the end of 2011.[4] This echoes the disturbing findings in the work of Nicholas Eberstadt and Charles Murray, which detail a long-term trend of lower work rates for middle-age men over the past half-century.[5]

CHANGES | 10-year ▼ 0.3 | 5-year ▲ 0.4 | 1-year No change

## Job Hires Rate

From 2006 to 2016, the job hires rate decreased by 0.3 percentage point.

### MONTHLY NEW HIRES AS A PERCENTAGE OF ALL JOBS



SOURCE: U.S. Department of Labor, Bureau of Labor Statistics, Job Openings and Labor Turnover Survey.

This means that there are fewer prospective workers seeking work. While demographic trends in the U.S. can explain a portion of this decline, this is unlikely to be a fully sufficient explanation. For example, the growth of government-funded health care through Medicaid expansion in many states has been shown to reduce the incentives of low-income Americans to seek work.[6]

Another factor is the large number of Americans receiving payments from Social Security's Disability Insurance Fund. In 2016, there were nearly 2 million more

Americans than there were in 2006.[7] Once individuals are on disability, it is often difficult to encourage them to seek gainful employment again or keep them attached to the labor force.[8]

Additionally, drug use and addiction issues make it difficult for many employers to find workers that can pass screenings.[9] This is echoed in findings from some diagnostic information services companies.[10] This is an especially tragic problem in Ohio, which led the nation in opiate overdose fatalities in 2014 with over 2,100.[11]

Finally, the "skills gap" theory assumes that employers are dissatisfied with the skill level of prospective employees and cannot find adequate talent to fill their openings. However, there is a lot of pushback on this theory given that the obvious consequence of such a gap should be rapidly growing wages as employers seek to procure the best talent. Despite a recent upward trend, the fact that a dramatic increase in wages has largely not happened since the end of the Great Recession raises questions about the applicability of this theory.[12]

Years after the Great Recession, significant problems remain when it comes to connecting a broad swath of prospective workers to open jobs. Tackling the hard tasks of reforming Medicaid, better monitoring Social Security Disability payments, and getting treatment for those suffering the scourge of addiction will prove to be indispensable in fixing this state of affairs.

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*Greg R. Lawson is a research fellow at The Buckeye Institute.*

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[1] U.S. Department of Labor, Bureau of Labor Statistics, "Job Openings and Labor Turnover Survey (JOLTS)," multi-screen data search (accessed April 28, 2017).

[2] Ibid.

[3] U.S. Department of Labor, Bureau of Labor Statistics, "Labor Force Statistics from the Current Population Survey," (accessed April 28, 2017).

[4] Ibid.

[5] Nicholas Eberstadt, *Men Without Work* (West Conshohocken, PA: Templeton Press, 2016). See also Charles Murray, *Coming Apart: The State of White America: 1960-2010*, (New York, NY: Crown Forum, 2013).

[6] Craig Garthwaite, Tal Gross, and Matthew J. Notowidigo, *Public Health Insurance, Labor Supply, and Employment Lock*, National Bureau of Economic Research Working Paper No. 19220, July 2013, (accessed April 28, 2017).

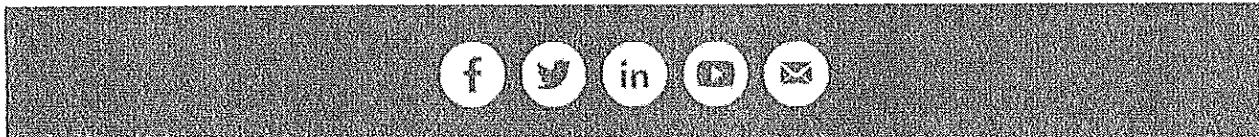
[7] Social Security Administration, Office of the Chief Actuary, "Selected Data from Social Security's Disability Program," (accessed April 6, 2017).

- [8] News release, "Persons with a Disability: Labor Force Characteristics-2015," U.S. Department of Labor, Bureau of Labor Statistics, June 21, 2016, (accessed April 28, 2017).
- [9] Pennsylvania Manufacturers' Association, "New-Hires Refuse or Fail Drug Tests," June 10, 2014, (accessed April 21, 2017).
- [10] News release, "Illicit Drug Positivity Rate Increases Sharply in Workplace Testing, Finds Quest Diagnostics Drug Testing IndexTM Analysis," Quest Diagnostics, June 9, 2015, (accessed April 28, 2017).
- [11] Henry J. Kaiser Family Foundation, State Health Facts, "Opioid Overdose Deaths by Type of Opioid," 2014, (accessed April 6, 2017).
- [12] News release, "Employment Cost Index-March 2017," U.S. Department of Labor, Bureau of Labor Statistics, April 28, 2017, (accessed May 9, 2017).

# # #

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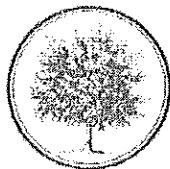
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**THE BUCKEYE INSTITUTE**

## **Time to Fight the Rising Tide of Occupational Licensing**

**By Greg R. Lawson**  
**September 25, 2017**

Recently, there has been a flood of potentially harmful legislation that risks undercutting Ohio's prosperity. Bad bills that expand burdensome occupational licensing requirements to an ever-larger number of Ohioans remains a serious impediment to creating an economically prosperous state where people are able to pursue job opportunities and career advancement without needing to seek costly, time-consuming permission from government.

Legislation that requires more and more professions to be licensed has been coming fast and furious including those licensing: **residential only building contractors, commercial roofing contractors, home inspectors, elevator and escalators installers.**

Each of these pieces of legislation are being promoted by advocates as being necessary for public safety or to protect consumers. Unfortunately, what these bills do is restrict opportunity for Ohioans seeking jobs.

As The Buckeye Institute as found in our *Forbidden to Succeed* report:

"High fees and training requirements reduce an occupation's job growth by 20 percent, as prospective workers who cannot afford to enter the occupation remain unemployed or underemployed."

Of Ohio's 31 moderate-income occupations requiring licensure, 15 require hundreds or even thousands of hours of training. Remarkably, nearly every Ohio license that requires training can be earned in less time in another state. For example, while there is pending legislation to reduce this absurd number, cosmetologists currently need 1,500 hours of education to get a license. That is 10 times the amount of education needed to become a basic emergency medical technician that literally saves lives! That is also 500 more hours than what is needed in the seat of high fashion in America- New York!

Ohio certainly needs to require appropriate training and licensing for jobs with health and safety concerns, such as physicians and pilots, and no one disputes this. However, such concern fades dramatically when applied, for example, to **auctioneers** (that have to meet apprenticeship requirements), travel guides (**Lake Erie Fishing** guides need to pony up \$50 to be licensed), and hairdressers, all of which require licenses today in Ohio.

This burden is even more daunting for the employment prospects that are faced by many in Ohio's minority communities. Nationally, the unemployment rate among African Americans remains much higher than among other demographics. According to the **Bureau of Labor Statistics**, the most recent unemployment rate was 7.7 percent for African Americans-nearly double the 3.9 percent unemployment rate for whites. Similarly, unemployment confronts a staggering 23.4 percent of young African Americans between 16 and 19, and 11.8 percent of young whites.

Adding more licenses onto Ohioans is not going to reverse these discouraging trends.

Given these fact, it isn't surprising that there is growing non-partisan acknowledgement that licensing laws have gone too far. From The Buckeye Institute and the **Heritage Foundation** to the **Brookings Institute** to both the **Obama White House** and the **Trump Administration**, there is a growing consensus that these burdensome licensing requirements are bad for everyone.

So what can be done?

We need to continue raising awareness of the issue to members of the Ohio General Assembly. The Buckeye Institute is working with a number of policymakers in order to educate them on the need for meaningful reforms. This includes **policy** that will require the state to impose the least restrictive type of occupational licensing regulation to ensure consumer protection, while also establish a sunrise and sunset review processes for existing of licensing boards and new licensing legislation. Over time, the use of these reviews will help clean up antiquated licensing requirements while preventing new ones from cluttering Ohio's laws.

We also need to continue removing burdensome requirements for specific professions. The Buckeye Institute is already working with individual salon owners and a bipartisan group of legislators, including republicans **Representative Kristina Roegner** (R-Hudson) and **Senator Kris Jordan** (R-Ostrander), and democrats **Representative Alicia Reece** (D-Cincinnati) and **Senator Charleta Tavares** (D-Columbus) to improve cosmetology policy. The goal is to build upon the successes in the **previous General Assembly** and to move towards **further reducing** burdens on cosmetologists.

Finally, we need to look at how we remove employment barriers for spouses of military personnel stationed in Ohio. Buckeye is leading the way by developing good **policy** that would recognize out-of-state licenses for military spouses.

It is inevitable that in every General Assembly there will be a series of licensing bills that risk ensnaring many Ohioans in a bureaucratic, and often expensive maze, that delays their ability to make a living and move up the ladder of success. However, working to strengthen the growing bipartisan consensus we can eliminate these burdensome regulations and ensure Ohioans can pursue job opportunities and career advancement.

*Greg R. Lawson is the research fellow at The Buckeye Institute.*

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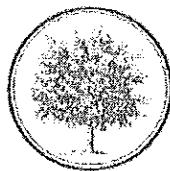
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## THE BUCKEYE INSTITUTE

### **Batter Up: Buckeye's ad to debut during Reds and Indians games**

While the country debates NFL players' controversial protests of our National Anthem, The Buckeye Institute is cheering on Major League Baseball's two Ohio teams this week. We hope you are too.

The regular season is drawing to a close, and your Buckeye Institute has stepped up to the plate to hit a timely homerun.

Our new campaign has already earned media attention across the country in more than 31 radio markets with much more to come! We are also posting an editorial on [FoxNews.com](#), which we will send as soon as it goes up.

Ladies and Gentlemen, it's time to play ball: **Worker Voting Rights: Giving a Voice and Choice to Union Members** is airing during several upcoming Cleveland Indians and Cincinnati Reds games.

Mark your calendar and tune in to catch our ad live!

Game:	Date:	To Air During:	Station:
Cleveland Indians v. Minnesota Twins	Wednesday, September 27	Innings 2-3	FSN
Cleveland Indians v. Chicago White Sox	Friday, September 29	Innings 1-6	STOh & CSCh
Cincinnati Reds v. Milwaukee Brewers	Wednesday, September 27	Innings 5-6	FSW1 & FSOH
Cincinnati Reds v. Chicago Cubs	Sunday, October 1	Innings 6-9	FSOH

Visit [www.WorkerVotingRights.org](http://www.WorkerVotingRights.org) to learn more about this important issue.

# # #

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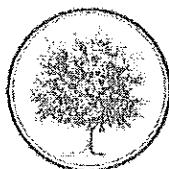
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**FOR IMMEDIATE RELEASE**

September 28, 2017

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*The Buckeye Institute's Amicus Brief Called for Protection of 1st Amendment*

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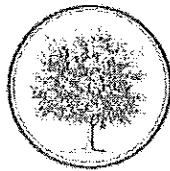
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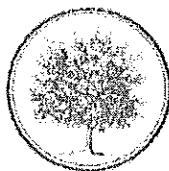
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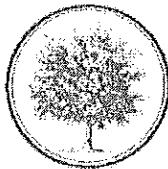
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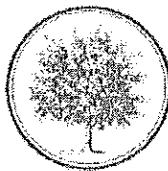
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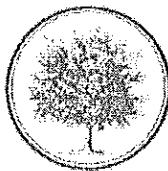
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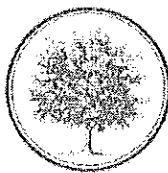
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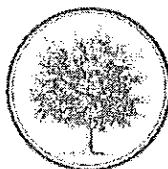
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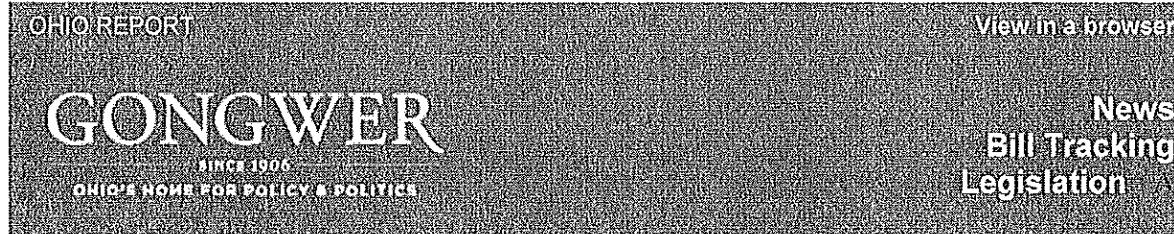
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## Event Planner

### Sunday, October 1

Ohio Legislative Black Caucus 50th Anniversary events, Canton, (5:15-6:15pm: Welcome Reception & Hall of Fame Tours; 6:15pm-8:15: Program & Dinner; 8:20pm-10:00pm: Live Music with the Four Keeps; 10:00pm: After Party Reception at the M-Bar)  
Sen. Bob Peterson (R-Sabina) fall fest fundraiser, Peterson Farm, 5564 Grassy Branch Rd., Sabina, 4 p.m., (\$25 per Person or \$50 per Family to Peterson for Good Government)

### Monday, October 2

Ohio Legislative Black Caucus 50th Anniversary events, Canton, (10:30am: Golf Outing Start (registration begins at 8:30am); 1:00pm: First Ladies Library Tour (registration begins at 12:00pm); 2:00pm: President McKinley Museum Tour (registration begins at 12:00pm); 3:00pm-4:00pm: OLBC Cookout/Reception at the National Historic Clearview Golf Course)  
Lobbyist and Employer Activity & Expenditure Reports for the May-August 2017 reporting period are due  
OHROC Chairman's Cup golf outing fundraiser, Virtues Golf Club, 1 Long Drive, Nashport, 9 a.m., (9:00am Registration; 10:00am Shotgun Start. Event Host: \$5,000; Event Sponsor: \$2,500; Tee Sponsor: \$1,250; Foursome: \$1,000; Individual Golfer: \$250; Reception Only: \$100 to OHROC)

### Tuesday, October 3

Ohio Domestic Violence Network to recognize National Domestic Violence Awareness Month, Museum Gallery, Statehouse, Columbus, 9:30 a.m.

### Wednesday, October 4

Sen. Troy Balderson (R-Zanesville) & Sen. Stephanie Kunze (R-Hilliard) fundraiser, Muirfield Village Country Club, 8715 Memorial Drive, Dublin, 8:30 a.m., (\$500 each committee to Troy Balderson for State Senate and Citizens for Stephanie Kunze)  
Rep. Anne Gonzales (R-Westerville) cigar fundraiser, Lexi's, 100 E. Broad Street, Columbus, 4:30 p.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Citizens for Anne Gonzales)

### Thursday, October 5

Sen. Matt Huffman (R-Lima) golf outing fundraiser, Hidden Creek Golf Club, 6245 Sugar Creek Lane, Lima, 9 a.m., (9:00am Registration | 10:00am Shotgun Start. \$1,000 Event Sponsor | \$400 per Team | \$200 Tee Sponsor | \$100 per Golfer to Matt Huffman for Ohio)

Sen. Louis Terhar (R-Cincinnati) fundraiser, Schilderink residence, 9675 Cunningham Road, Cincinnati, 6 p.m., (\$2,500 Event Sponsor | \$1,000 Sponsor | \$500 Host | \$250 Couple | \$200 Individual to Friends of Lou Terhar)

### Sunday, October 8

Sen. Steve Wilson (R-Maineville) family picnic, Warren County Armco Park, 1223 OH-741, Lebanon, 1 p.m.

Republican gubernatorial candidate forum, Genoa Baptist Church, 7562 Lewis Center Rd., Westerville, 7 p.m., (Sponsored by Citizens for Community Values and Salem Media of Ohio)

### Tuesday, October 10

Rep. Niraj Antani (R-Miamisburg) fundraiser, Oliver's, 26 N. High Street, Columbus, 11:30 a.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Citizens for Niraj Antani)

Rep. Jeff Rezabek (R-Clayton) and Rep. Nathan Manning (R-North Ridgeville) fundraiser, Ringside, 19 N. Pearl Street, Columbus, 5 p.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Citizens for Rezabek and/or Manning for Ohio)

Sen. Matt Huffman (R-Lima) fundraiser, Athletic Club of Columbus, Gold Room, 136 E. Broad St., Columbus, 5 p.m., (\$2,500 Event Chair | \$1000 Event Host | \$500 Event Sponsor | \$350 Individual to Matt Huffman for Ohio)

Sen. Kevin Bacon (R-Columbus), Sen. Troy Balderson (R-Zanesville) & Sen. Joe Uecker (R-Loveland) fundraiser, Athletic Club of Columbus, Lounge, 136 E. Broad St., Columbus, 5 p.m., (\$2,500 Event Chair | \$1,000 Event Host | \$500 Event Sponsor | \$350 Individual to Citizens for Kevin Bacon or The Committee to Elect Joe Uecker)

Sen. Matt Dolan (R-Chagrin Falls) and Sen. Jay Hottinger (R-Newark) fundraiser, Athletic Club of Columbus, Parlors A&B, 136 E. Broad St., Columbus, 5 p.m., (\$2,500 Event Chair | \$1,000 Event Host | \$500 Event Sponsor | \$350 Individual to Friends of Matt Dolan Or Citizens for Hottinger)

### Wednesday, October 11

Rep. Thomas West (D-Canton) fundraiser, Dempsey's, 346 S. High St., Columbus, 8:30 a.m., (Sponsor \$1,000, Host \$500, Friend \$350 to Team West)

Rep. Terry Johnson (R-McDermott) fundraiser, Oliver's, 26 N. High Street, Columbus, 11:30 a.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Terry Johnson for State Rep)

Rep. Steve Huffman (R-Tipp City) fundraiser, OHROC, 21 W. Broad Street, Floor 7, Columbus, 12 p.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Steve Huffman for State Rep)

Rep. Ron Young (R-Leroy Township) fundraiser, Athletic Club of Columbus - Parlor D, 136 E. Broad Street, Columbus, 5 p.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 Friends of Ron Young)

Rep. Tim Ginter (R-Salem) fundraiser, Athletic Club of Columbus - Gold Room, 136 E. Broad Street, Columbus, 5 p.m., (Special Guest Former Speaker Bill Batchelder. Chair: \$1,000; Host: \$500; Sponsor: \$350 to Tim Ginter for State Representative)

House Minority Leader Fred Strahorn (D-Dayton) fundraiser, Elevator Brewery and Draught Haus, 161 N. High St., Columbus, 5 p.m., (Sponsor levels: Sponsor: \$2,500, Host: \$1,000, Guest: \$500, Friend: \$350 to Committee to Elect Fred Strahorn)  
Sen. John Eklund (R-Chardon) fundraiser, Lexi's on Third, 100 E. Broad St., Columbus, 5 p.m., (\$2,500 Event Chair | \$1,000 Event Host | \$500 Event Sponsor | \$350 Individual to Friends of John Eklund)  
Sen. Lou Terhar (R-Cincinnati) fundraiser, Fleming residence, 2374 Brixton Road, Columbus, 5:30 p.m., (\$2,500 Event Sponsor | \$1,000 Sponsor | \$500 Host | \$250 Couple | \$200 Individual to Friends of Lou Terhar)

### Friday, October 13

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OSBA Law & Media Conference, Ohio State Bar Association, 1700 Lake Shore Dr., Columbus, 9:30 a.m., (Registration at 8:30 a.m. For more information contact Halle Malcomb, [hmalcomb@ohiobar.org](mailto:hmalcomb@ohiobar.org))

### Tuesday, October 17

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Republican Senate Campaign Committee pig roast fundraiser, Land Grant Brewery, 424 W. Town St., Columbus, 5 p.m., (\$10,000 Whole Hog Sponsor | \$5,000 Half Hog Sponsor | \$2,500 Loin Sponsor | \$1000 Bacon Sponsor | \$500 per Attendee to RSCC)  
Rep. Michael Sheehy (D-Oregon) fundraiser, Club 185, 185 E Livingston Ave., Columbus, 5:30 p.m., (Sponsor levels: Sponsor \$1,000, Host \$500, Friend \$350 to Committee to Elect Michael Sheehy)  
Rep. Adam Miller (D-Columbus) fundraiser, Capital Club, 41 S. High St., Columbus, 5:30 p.m., (Sponsor \$1,000, Supporter \$500, Attendee \$250 to Miller for Ohio)

### Wednesday, October 18

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Sen. Peggy Lehner (R-Kettering) fundraiser, Athletic Club of Columbus, Gold Room, 136 E. Broad St., Columbus, 7:30 a.m., (\$2500 Event Chair | \$1000 Event Host | \$500 Event Sponsor | \$350 Individual to Citizens for Lehner)  
Sen. Sandra Williams (D-Cleveland) fundraiser, Einstein's, 41 S High Street, Columbus, 7:30 a.m., (Platinum Sponsor - \$1,000; Gold Sponsor - \$500 or Suggested Contribution - \$350 to Friends of Sandra Williams)  
Rep. Steve Arndt (R-Port Clinton) fundraiser, deNOVO, 150 S. High Street, Columbus, 11:30 a.m., (Special Guest Rep. Ryan Smith. Chair: \$1,000; Host: \$500; Sponsor: \$350 to Friends for Steve Arndt)  
Rep. Kathleen Clyde (D-Kent) fundraiser, Club 185, 185 E. Livingston Ave., Columbus, 5 p.m., (Gold Sponsor \$2,500, Silver Sponsor \$1,000, Bronze Sponsor \$500, Supporter \$250 to Kathleen Clyde Committee)  
Rep. Glenn Holmes (D-McDonald) fundraiser, Dempsey's, 346 S. High St., Columbus, 5:30 p.m., (Sponsor \$1,000, Host \$500, Friend \$350 to Committee to Elect Glenn Holmes)  
Sen. Stephanie Kunze (R-Hilliard) fundraiser, Scioto Country Club, 2196 Riverside Dr., Columbus, 5:30 p.m., (Special Guest: Senate President Larry Obhof. Event

Sponsor \$1000, Event Host \$500, \$150 per couple, \$100 per individual to Citizens for Stephanie Kunze)

#### Thursday, October 19

Rep. Teresa Fedor (D-Toledo) fundraiser, Maumee Bay Brew Pub, 27 Broadway Street, Toledo, 4:30 p.m., (Friend: \$250; Host: \$500; PAC: \$1,000 to Citizens with Fedor)

Sen. Bill Beagle (R-Tipp City) shooting fundraiser, Vandalia Range and Armory, 100 Corp Center Drive, Vandalia, 5:30 p.m., (\$1,000 Event Sponsor; \$500 Lane Sponsor; \$100 per Person; \$50 Dinner only to Citizens for Bill Beagle)

#### Tuesday, October 24

Rep. Ryan Smith (R-Bidwell) fundraiser, Athletic Club of Columbus - Lounge, 136 E. Broad Street, Columbus, 5 p.m., (Chair: \$10,000; Sponsor: \$5,000; Host: \$2,500; Patron: \$1,000 to Friends of Ryan Smith)

Rep. Jack Cera (D-Bellaire) & Rep. Nick Celebreeze (D-Parma) fundraiser, Gresso's, 961 S. High St., Columbus, 7 p.m., (Sponsor \$1,000, Host \$500, Friend \$350 to Friends of Nicholas J. Celebreeze and Jack Cera for State Representative)

#### Wednesday, October 25

Rep. Sarah LaTourette (R-Chesterland) and Rep. Theresa Gavarone (R-Bowling Green) fundraiser, Due Amici, 67 E. Gay Street, Columbus, 11:30 a.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to LaTourette for Ohio and/or Citizens for Gavarone)

Rep. Teresa Fedor (D-Toledo) fundraiser, The Lounge at Latitude 41, Renaissance Hotel, 50 North 3rd Street, Columbus, 5:30 p.m., (Friend: \$250; Host: \$500; PAC: \$1,000 to Citizens with Fedor)

#### Thursday, October 26

Rep. Glenn Holmes (D-McDonald) fundraiser, Cimenero's Banquet Center, 123 N. Main St., Niles, 5 p.m., (Victory Sponsor \$1,400, Touchdown Sponsor \$700, Field Goal Sponsor \$300, Individual Tickets \$50 to Committee to Elect Glenn Holmes)

#### Sunday, October 29

Democratic gubernatorial debate, Greater Columbus Convention Center, 400 N. High St., Columbus

Ohio Democratic Party state dinner, Greater Columbus Convention Center, 400 N. High St., Columbus, (Featured speaker: Virginia Gov. Terry McAuliffe)

#### Tuesday, October 31

Rep. John Rogers (D-Mentor on the Lake) & Rep. John Patterson (D-Jefferson) fundraiser, Club 185, 185 E Livingston Ave, Columbus, 5:30 p.m., (Sponsor \$1,000,

Host \$500, Friend \$350 to Friends of Rogers and Committee to Elect John Patterson)

### Wednesday, November 1

Rep. Emilia Sykes (D-Akron) & Sen. Vernon Sykes (D-Akron) fundraiser, Einstein's Bros. Bagels, 41 S. High St., Columbus, 8 a.m., (Sponsor \$1,000, Host \$500, Friend \$350 to Emilia Sykes Campaign and Sykes for Office)

Rep. Craig Riedel (R-Defiance) and Rep. Kristina Roegner (R-Hudson) fundraiser, Due Amici, 67 E. Gay Street, Columbus, 11:30 a.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Citizens to Elect Craig Riedel and/or Kristina Daley Roegner for Ohio)

Rep. Dave Greenspan (R-Westlake) fundraiser, Oliver's, 26 N. High Street, Columbus, 11:30 a.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Friends of Dave Greenspan)

Rep. Bill Seitz (R-Cincinnati) and Rep. Bill Blessing (R-Cincinnati) fundraiser, Athletic Club of Columbus - Parlor A/B, 136 E. Broad Street, Columbus, 5 p.m., (Chair: \$2,000; Sponsor: \$1,000; Host: \$500; Individual: \$350 to Seitz for Ohio and/or Citizens for Blessing)

Rep. Bernadine Kent (D-Columbus) fundraiser, Lincoln Cafe, 740 E. Long St., Columbus, 5:30 p.m., (Sponsor \$1,000, Host \$500, Friend \$350 to Kent for Ohio)

### Thursday, November 2

Rep. Steve Hambley (R-Medina) fundraiser, High & Low Winery, 588 Medina Road, Wadsworth, 6 p.m., (Special Guest President Larry Obhof. Chair: \$1,000; Host: \$500; Sponsor: \$350 to Hambley for House Committee)

### Wednesday, November 8

Rep. Mike Duffey (R-Worthington) and Rep. Laura Lanese (R-Grove City) fundraiser, OHROC, 21 W. Broad Street, Floor 7, Columbus, 11:30 a.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 Citizens for Duffey and/or Lanese for Ohio)  
Sen. Cliff Hite (R-Findlay) fundraiser, Club 185, 185 E. Livingston Ave., Columbus, 5:30 p.m., (\$2,500 Chair | \$1,000 Host | \$500 Sponsor | \$350 Attendee to The Committee to Elect Cliff Hite)

### Tuesday, November 28

Rep. Scott Ryan (R-Newark) fundraiser, Pub Mahone, 31 E. Gay Street, Columbus, 11:30 a.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Citizens for Scott Ryan)

### Wednesday, November 29

Rep. Michele LePore-Hagan (D-Youngstown) fundraiser, Einstein Bros. Bagels, 41 S High Street, Columbus, 8 a.m., (Sponsor \$1,000, Host \$500, Friend \$350 to Michele Lepore-Hagan for State Representative)

Rep. Scott Lipps (R-Franklin) fundraiser, Due Amici, 67 E. Gay Street, Columbus, 11:30 a.m., (Special Guest Rep. Ryan Smith. Chair: \$1,000; Host: \$500; Sponsor: \$350 to Friends of Scott Lipps)

Ohio House Republican Organizing Committee fundraiser, Athletic Club of Columbus - Gold Room, 136 E. Broad Street, Columbus, 5 p.m., (Chair: \$2,500; Host: \$1,000; Sponsor: \$500 to OHROC)

Rep. Jim Butler (R-Oakwood) fundraiser, Athletic Club of Columbus - Parlor A/B, 136 E. Broad Street, Columbus, 5 p.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Butler for Ohio)

#### Thursday, November 30

Rep. Derek Merrin (R-Monclova Township) fundraiser, OHROC, 21 W. Broad Street, Floor 7, Columbus, 11:30 a.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Friends of Derek Merrin)

#### Tuesday, December 5

Rep. Gary Scherer (R-Circleville) fundraiser, Ringside, 19 N. Pearl Street, Columbus, 5 p.m., (Special Guest Rep. Ryan Smith. Chair: \$1,000; Host: \$500; Sponsor: \$350 to Friends of Gary Scherer)

#### Wednesday, December 6

Rep. Kirk Schuring (R-Canton) fundraiser, Athletic Club of Columbus - Parlor A/B, 136 E. Broad Street, Columbus, 5 p.m., (Chair: \$2,500; Host: \$1,000; Sponsor: \$500 to Citizens for Schuring Committee)

#### Wednesday, February 28

Ohio Cable Telecommunications Association Legislative Luncheon, Renaissance Hotel, 50 N. 3rd St., Columbus, 12 p.m.

#### Monday, June 4

Ohio Cable Telecommunications Association Golf Outing, The Lakes, 6740 Worthington Rd., Westerville

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Volume #86, Report #189 -- Friday, September 29, 2017

## Grading the State Report Card: Experts, Policy Makers Weigh In On How Ohio Assesses K-12 Education

From confusion and frustration to hopefulness and enlightenment, the responses to state report card grades released this month have run the gamut.

Schools and parents around the state have largely dismissed the rankings, which have dropped significantly since new standards were put in place a few years ago. Many have publicly criticized the grades, saying they're not rooted in reliable methods or just plain don't make sense.

A handful of education researchers and stakeholder groups, meanwhile, have released reports that rely on the report card data and tout its value in tracking trends. The analyses compare charter and traditional schools and gauge, among other things, how disadvantaged students are stacking up to their more privileged peers.

But, like them or not, report cards are here to stay. New federal K-12 laws continue to require states to assess students and schools as well as publish annual ratings.

So how then do policymakers and the K-12 community put an end to the report card frenzy that's become an annual occurrence since the state upped learning standards and moved to an A-F grading scale?

For some, the answer is to change how the bevy of school and testing data is presented.

**Push For Change:** Rep. Mike Duffey (R-Worthington) said he plans to introduce legislation and bring together a stakeholder group to overhaul report cards so that they no longer grade districts, but instead simply present information.

He said the goal is to fairly provide details of how schools are doing at educating students and quiet public distrust surrounding the current grading system.

"There seems to be an emerging consensus among superintendents and school boards of education and I think legislators are picking this up from the community and parents and from their own experience that report cards have been too volatile," Rep. Duffey said.

More than a dozen other states have instituted an A-F grading scale over the last few years. Like Ohio, many have put off handing out one overall grade to each district in an effort to ease into the change.

However, a handful may never get to that point in their reporting because of backlash to the grades. West Virginia, Alabama and Texas are just a few states debating how to move forward, according to reports.

Rep. Duffey said the public outcry in Ohio is already loud enough to require change, proving that parents and students think their schools are doing better than the report cards reflect.

Many districts, including wealthy suburban districts that were previously accustomed to getting As, have received Fs in a handful of categories over the past two years despite overall scores improving this year. Urban districts that have retooled their entire curricula and cultures say their progress isn't translating to higher report card scores.

"Parents are by and large siding with their school districts over the state, which means the state report card does not have the public's trust," he said. "When it doesn't have the public's trust, it fails to have value as a tool for the state."

The progress measure of the report card is the most-often challenged of the six graded components.

Rep. Andy Brenner (R-Powell), who chairs the House Education Committee, said its calculation needs changed because it is a zero-sum ranking, meaning districts can only score better each year if they're making more progress in relation to the progress other schools have made.

For example, students at Olentangy Local Schools saw growth on average, but their progress component score was an F because there wasn't as much growth as experienced by students at Rocky River City Schools, which received an A, he said.

"If everybody else is doing OK, then they can fall off and I'm not really sure that that's what we should do," Rep. Brenner said.

"I think we need to make sure that we're giving the data to the schools and districts so they understand what they need to do to improve the districts if they're capable," and the current grading formula doesn't always allow that, he said.

Data analyst Howard Fleeter with the Ohio Education Policy Institute said he's supportive of the data that's gathered to inform the progress component, but also suggested there could be a better way to grade it.

"When I was teaching, I thought that if every student was worthy of an A, every student should get an A," he said.

Having closely analyzed report card data, Mr. Fleeter said he's grateful for the wealth of information Ohio collects, which is much more than other states.

Over the years, it's helped him find data trends that can predict how students will perform in the future, reveal persistent learning gaps rooted in poverty, and determine how much it costs to educate different types of students, among other things, he said.

However, when it comes to how the state compiles the data to determine grades, Mr. Fleeter said there'd be no love lost on his part if the state threw out its A-F scale.

"I think that the data that is on the report cards is valuable. I am less of a fan of the actual letter grades," he said.

"I think one way you could defend the letter grades is to say, 'There is so much data that's out there. That regular person needs some sort of a shorthand way to make sense out of it and that's what the letter grades do.' The problem is that the letter grades also lead to some shame."

When the learning standards weren't as stringent and the A-F scale wasn't yet introduced, nearly 300 districts received the highest rating of Excellent on state report cards, according to Department of Education records.

Now that many of those same schools are receiving low marks on report cards, their morale may be down, Mr. Fleeter said.

Rep. Brenner suggested that the change in report card rankings could also have a negative economic impact on the state. He said it could signal to businesses looking to move to Ohio that students are less prepared than they were a few years ago when grades were good, even though districts, parents and many lawmakers don't feel that's the case.

"If you get Fs on the report card, would a major company like Amazon take a look at that?" he questioned.

Sen. Peggy Lehner (R-Kettering) said she'd be willing to take legislative action to change report cards, which is the only way modifications can be made. It has to be under the right circumstances, though, she said.

"I'm always open to looking to make the report card a better vehicle that gives us more accurate information and if that's the goal, yes. If the goal is we don't like the results, so let's get rid of the report card, I'd be much more concerned, frankly," said Sen. Lehner, who chairs the Senate Education Committee.

"We need to make sure that the report card is an accurate tool of assessment, but we do need to make sure that we also assess."

**Reframing Report Cards:** In an effort to stem the wave of concerns that come with every report card release, Superintendent of Public Instruction Paolo DeMaria has continually stressed that viewers should look outside the box.

The Ohio School Boards Association advises its members to do the same, said Damon Asbury, the group's director of legislative services. Board members are also encouraged to highlight their districts' non-academic accomplishments.

"It's an important measure, it tells us a lot of information, but it's not the only measure of how to judge your school district and its progress," he said of report cards.

To aid in the push to reshape thinking, ODE this year introduced a section on the individual grade card pages where districts can link to websites highlighting their successes.

Although the aim has been to reframe the general public conversation about report cards, superintendent DeMaria said the importance of the data they provide should still be at the forefront for policy makers.

"It does not paint a complete picture of what is happening in our schools and districts across the state, but it does paint a picture of what's happening academically to a certain extent and it is something that we should pay attention to," he said.

In a presentation before the Speaker's Task Force on Education and Poverty, he said report card results show a clear connection between economically disadvantaged students and poor academic outcomes. (See Gongwer Ohio Report, September 28, 2017)

They also show that a few schools with high concentrations of disadvantaged students are also high achieving, meaning that those students can learn under the right circumstances, he said.

"It allows us then to dig into this phenomenon that we're here to talk about and that is understanding the achievement gaps and acknowledging them," Superintendent DeMaria said of the assessment results displayed through report cards.

Sen. Lehner said there's also a lot that can be learned from new report card indicators showing how Ohio students scored on the ACT and SAT, which are included in the Prepared for Success measure.

The scores were "abysmally low and seem to track pretty well with some of the other data that we're seeing in the report card and that should give a lot of people pause that the report card, as clumsy as it may be, as lengthy as it may be, that it actually is telling us something that we need to really sit up and pay attention to," she said.

When the first report cards were released about two decades ago, they only showed what percentage of students were proficient on new state exams in core subjects, how many students were graduating and school attendance rates.

The report cards now include six components, ten measures and a handful of ungraded data such as financial information. It takes into account student scores on more than a dozen standardized tests.

The state's data collection to assess schools has come a long way, Mr. Fleeter said. So while report cards shouldn't serve as the sole arbiter of whether schools are preparing students for the future, it wouldn't be wise to dismiss them.

"Now we have the ability to disaggregate the data and look at different types of students and you can compare them and you really can understand what's behind things and where the problems are to a greater degree," he said. "People tend to not think about it, but we are lucky that we have all this information that's out there because we can understand better what we're doing well and what we're not as a state."

#### **Governor Candidates Tout Qualifications At GOP Central Committee**

Three of Ohio's four Republican gubernatorial candidates on Friday worked to sway a room full of party leaders on why they should top the ballot heading into the 2018 election.

Secretary of State Jon Husted, U.S. Rep. Jim Renacci and Lt. Gov. Mary Taylor each spoke before the GOP State Central Committee at a Columbus-area convention center. Attorney General Mike DeWine, also a candidate for the top executive office, was unable to attend.

Although Ohio Republican Party chairwoman Jane Timken remains adamant the party will not endorse to avoid tipping the primary scales, each statewide GOP contender was given the chance to appear before the committee.

Mr. Husted kicked off the remarks, touting his endorsements from pro-gun groups and his outreach through ten satellite call centers that have already made more than 20,000 calls.

"We outraised all candidates for this race," Mr. Husted said. "And you haven't seen anything yet. We're going to continue to build on that momentum and I'm really excited about it."

Emphasizing his efforts to streamline the business filing process and make his office self-sufficient, he positioned himself as a candidate who will follow through on his promises and thereby restore the faith of jaded voters who are frustrated with the system.

"I believe I can do the best job for you, that I can be the voice of the Republican party and the voice of the State of Ohio that will bring new ideas," Mr. Husted said.

Rep. Renacci, meanwhile, held true to his campaign strategy of painting himself as a Donald Trump-style outsider surrounded by candidates representing the status quo.

He struck a more conciliatory tone than his first television ad, however, giving some praise to Gov. John Kasich and stating that the party has "strong candidates." His TV spot released Thursday, the first of the campaign, blasted his three primary opponents as "Columbus fat cats."

Rep. Renacci described his background as a business owner who has created jobs and said voters are looking for a different type of candidate at the ballot.

"That's who I am," he said. "I'm an individual who hasn't spent my entire life in politics. That's the direction we need to take -- a little bit different vision."

Lt. Gov. Taylor emphasized her past election performance, including her status as the only Republican to win statewide office during the 2006 election when Democrats swept into office.

"We need a candidate in the general election who can win in November no matter what the political landscape looks like," she said. "And I win elections. Period."

She highlighted her tax and healthcare proposals, including her desire to eliminate Medicaid expansion, and pointed to her leadership of the Common Sense Initiative as a testament to her desire to curb government regulations.

Without naming names, she also seemed to downplay her rivals' fundraising strength and the advantage of Mr. DeWine's name recognition.

"People in our state, they choose our leaders," she said. "If money and a family name was all that mattered in races, Jeb Bush would be our nominee and Hillary Clinton would be our president today."

David Pepper, Ohio Democratic Party's chairman, in response called the Republican's primary gubernatorial race "one big race to the right."

"The Republican candidates are focused on nasty attacks against one another, while our Democratic candidates are focused on addressing the concerns of voters," Mr. Pepper said. "We've had 57 straight months of job growth trailing the national average, we're struggling to deal with the nation's worst opioid crisis and our public school system has fallen from fifth in the nation to 22nd. The Republican status quo isn't working for Ohio, and Democrats will represent change in 2018."

Other candidates seeking statewide office that addressed the group include Treasurer Josh Mandel, a U.S. Senate hopeful, Rep. Keith Faber (R-Celina), who's running for state auditor, and Rep. Robert Sprague (R-Findlay), a state treasurer candidate.

**Endorsements:** The group's endorsement policy review committee also recommended the party take no stance on Issue 1 -- the Ohio Crime Victims Bill of Rights -- or Issue 2 -- the Ohio Drug Price Relief Act. The full committee accepted that recommendation with no discussion.

The Republican committee did officially endorse a pair of Ohio Supreme Court candidates: Judge Mary DeGenaro and Judge Craig Baldwin.

Judge DeGenaro, of the Seventh District Court of Appeals, and Judge Baldwin, of the Fifth District Court of Appeals, are running for seats occupied by age-limited Justices Terrence O'Donnell and Bill O'Neil.

In other business, the committee also appointed Katie DeLand to the 12<sup>th</sup> District seat formerly held by Becky Engel.

#### **Portman, Brown Recommend Two of Federal District Court Nominees**

The state's two U.S. senators on Friday announced recommendations to fill two seats on the federal bench - and one could mean a change in Gov. John Kasich's cabinet.

U.S. Sen. Rob Portman (R-Terrace Park) and U.S. Sen. Sherrod Brown (D-Cleveland) have recommended Bureau of Workers' Compensation Administrator/CEO Sarah Morrison to fill a seat on the U.S. District Court of the Southern District of Ohio soon to be vacated by retiring Judge Thomas Rose.

The lawmakers also forwarded to the White House a recommendation that Fourth District Court of Appeals Judge Malt McFarland fill the seat on the same court vacated by Judge Gregory Frost.

"I am honored to be considered for the position of federal district judge, and I sincerely appreciate the support of Senators Portman and Brown," Ms. Morrison said in a statement. "As the approval process moves forward, I remain committed to serving Ohio's employers and injured workers at the Bureau of Workers' Compensation."

Sen. Portman said Ms. Morrison "enjoys sweeping support for this seat because of her breadth of experience in the public and private sectors, including her time as CEO of Ohio's Bureau of Workers Compensation."

Ms. Morrison, who would serve from Columbus, has led the BWC since May 2016 after joining the bureau in November 2012. Prior to that, she was a partner at Taft Stettinius & Hollister, LLP in Columbus.

She has a law degree from Capital University.

Judge McFarland, who would serve from the court in Dayton, was elected to the state appellate court in 2004 and reelected in 2010 and 2016. Prior to that, he served as a magistrate in the Scioto County Common Pleas Court Probate/Juvenile Division. He also served as an assistant prosecutor in Scioto and Licking counties and as special counsel in the attorney general's office.

He also has a law degree from Capital University.

"It is truly an honor to continue to serve the citizens of Ohio and if nominated by the president and confirmed by the Senate, I will work tirelessly to make Ohio proud in the administration of justice," he said.

Sen. Portman said Judge McFarland has "been a dedicated public servant in the state court of appeals."

"His esteemed reputation is well deserved and I am confident he will continue to distinguished service on the bench," he said.

Sen. Brown said in both cases he was proud to join his colleague in a bipartisan process and thanked both Ms. Morrison and Judge McFarland for their willingness to serve.

Both were recommended to the senators by a bipartisan advisory committee.

The recommendations will be vetted by the White House and the U.S. Senate Judiciary Committee before being considered by the upper chamber.

#### **Senate Weighs Healthy Ohio proposal in weeks after Kasich's veto**

The Healthy Ohio Medicaid waiver proposal appears to be getting a new look by the Senate, but it's not clear if the chamber will vote to override Gov. John Kasich's veto or approach the effort another way.

The proposal, which was included in the previous budget and rejected by the federal Centers for Medicare and Medicaid Services, was included again in the current budget (HB 49) but vetoed by the governor.

The waiver has drawn questions as to whether it could gain federal approval due to the lack of flexibility the legislation would give the state in negotiating with federal regulators. Nevertheless, some officials say they are optimistic that the Trump administration would be more receptive to the plan than President Barack Obama's.

"I have had positive conversations with the administration in Washington about the Healthy Ohio waiver," Senate President Larry Obhof (R-Medina) said this week. "I look forward to additional conversations about that, whether the language that is currently pending in the override is exactly right or not, or if there's changes that we could make to that as separate legislation."

Sen. Obhof said the question of whether or not the Senate takes up the proposal would hinge on the continued debate over the Affordable Care Act at the federal level.

"I do anticipate that if the Medicaid expansion is here for the next few months, at some point we're going to re-evaluate the Healthy Ohio plan and whether to move ahead with the override or introduce additional legislation," he said.

The waiver request would allow the state to have certain Medicaid enrollees pay into modified health savings accounts, which would be used to cover co-pays. The state would also contribute to the accounts, with that money acting as a deductible. People who move off of Medicaid would then be able to use the money left over to cover insurance and other expenses.

Some, including members of a Senate committee that discussed waivers this week, have said the current proposal might be too detailed and prescriptive, and would not allow the state to negotiate changes with CMS to earn approval. (See Gongwer Ohio Report, September 26, 2017)

In his veto message, Gov. Kasich said the proposal has already been rejected by the federal government once.

"The Administration shares the goal of expanding Ohio's flexibility in managing our Medicaid programs, and is committed to working with the General Assembly to seek achievable solutions that would accomplish this goal," he wrote. "Requiring Medicaid to seek an identical waiver for the Healthy Ohio Program would be duplicative and an ill-advised use of Medicaid resources."

Rep. Jim Butler (R-Oakwood), one of the architects of the proposal, said the state is still able to negotiate changes with CMS despite how prescriptive it is in code.

"In terms of flexibility in negotiations, there is absolutely nothing in statute that would prohibit changes being made and then being ratified by the legislature," he said in an interview.

Rep. Butler said the Senate should follow the House's lead and vote to override the veto. He said the intent was never to have the administration go to the federal government and say "take it or leave it" with what was passed by the legislature. Any changes requested by CMS could then be approved by the General Assembly.

"Anything to the contrary, I think, is an excuse for not submitting a waiver that would have meaning for our health care system and truly control health care costs," he said.

The number of abortions in Ohio continued its more than decade-long decline in 2016, falling to just above 20,000, according to figures released Friday.

The Department of Health reported a total of 20,672 abortions in the state in 2016, down about 1% from the prior year's total of 20,976.

Of those, 19,543 were obtained by Ohio residents. Since 2001, the annual decline has averaged about 900 per year, ODH said.

The abortion rate was 8.9 per 1,000 resident women ages 15-44, which was unchanged from 2015, the agency reported. There were 142 abortions by Ohio residents per 1,000 live births.

The number of abortions, which has been tracked since 1976, peaked at more than 45,000 in 1982.

Ohio Right to Life credited the decline to anti-abortion policies enacted at the state level.

"This report is further proof of how successful the pro-life movement has been in Ohio" Mike Gonidakis, the group's president, said in a statement. "This past year alone, we saw 304 lives saved from the pain and suffering of abortion. We continue to advance groundbreaking legislation to protect the unborn, and we thank Governor John Kasich and the Ohio General Assembly for their role in promoting a culture of life in Ohio. By enacting common sense and life-saving initiatives Ohio is protecting both mothers and their babies."

The group touted legislation it's currently pushing for in the General Assembly, including bills to ban abortions due to a Down syndrome diagnosis (HB 214~~1~~, SB 164~~1~~) and to ban "dismemberment" abortions (SB 145~~1~~).

"The historic low of abortions reported today indicates that the culture of life we've strived for is becoming a reality," Mr. Gonidakis said. "That being said, Ohio Right to Life is whole-heartedly committed to fighting for the sanctity of human life, until the Abortion Report is unnecessary because there are no more abortions committed in Ohio."

NARAL Pro-Choice Ohio Deputy Director Jaime Miracle pointed to an increase in the number of non-surgical abortions, from 1,195 in 2015 to 3,818 in 2016. She said that showed the effects of a change by the U.S. Food and Drug Administration to allow for a one-pill dosage of a medication used in non-surgical abortions.

"The real story with this year's report is that Ohio women are accessing more affordable medication abortion at a rate closer to before Ohio law required physicians to use an outdated, less effective, more expensive protocol," she said in a statement. "When health care policy is shaped by science, not politics, women win. This report shows that the new FDA protocol allows women to access the health care they need and choose the abortion method that is best for them."

Ms. Miracle said Ohio's nine facilities were able to provide safe, legal and affordable abortions to more than 20,000 women in Ohio.

"Unfortunately, Governor John Kasich and his band of usual suspects have wasted the taxpayers' time and money in pushing illegal and immoral tactics designed to block access to abortion clinics," she said. "Since taking office, Governor Kasich has signed 18 restrictions limiting access to reproductive healthcare in Ohio. Everyone deserves access to safe, affordable reproductive health care, including abortion, in their communities and we will continue to fight to ensure this is the reality in Ohio."

## **Home Care Touted As Alzheimer's Dementia Option: Commerce Publicizes Medicaid Policy Use And Options**

People suffering from dementia can receive support in their homes, allowing them to stay out of nursing facilities and assisted living longer, the House Speaker's Task Force on Alzheimer's and Dementia was told this week.

Joe Russell, executive director of the Ohio Council for Home Care and Hospice, told the task force that providing care for people in their own homes and communities is a quality of life issue.

Family caregivers often face a stressful and constant task of looking after loved ones with Alzheimer's and dementia, he said. Providing scheduled respite services and other in-home services can ease the burden on family members without them having to turn to institutional facilities.

Mr. Russell said the Department of Aging has explored a shared living service under the PASSPORT Medicaid waiver, which would allow a live-in caregiver to provide support in the senior's home. He said his group supports the concept but was concerned about the proposed reimbursement rates.

He said the state could also look at programs to allow for 24-hour in-home care for people with limited family supports. That could include a waiver that allows for personal care, homemaking and companion services provided by a live-in provider supplemented by home care aides in shifts, and monitoring technology.

"In the long run, this system would most likely be less costly than institutional care as well as provide an environment that is familiar and stable for the individual to help them remain part of their community for as long as their health allows them to do so," he said in testimony. "This arrangement would allow the individual to maintain their daily routines that are vital to their quality of life and overall health, as well as make it easier for interaction with family and friends in their community."

The task force also heard from Susan Dickey, who works with the Greater Cincinnati Area Chapter of the Alzheimer's Association. She discussed practice recommendations as part of the association's Quality Care Campaign.

"In the long run, this system would most likely be less costly than institutional care as well as provide an environment that is familiar and stable for the individual to help them remain part of their community for as long as their health allows them to do so," she said in prepared testimony. "This arrangement would allow the individual to maintain their daily routines that are vital to their quality of life and overall health, as well as make it easier for interaction with family and friends in their community."

She said the recommendations could be used as a foundation for evaluating clinical outcomes for care in the state.

**Medical Marijuana Updates:** The Department of Commerce Friday released information from the applications for cultivator licenses. The business entity and contact information forms for the 185 applicants for those licenses are now available online.

The DOC anticipates awarding cultivator licenses in November.

Earlier this week, the DOC announced that two universities - Central State University and Hocking College - had applied for laboratory applications. The department said it would accept applications from private testing laboratories between Nov. 27 and Dec. 8.

### **Addiction Recovery Advocates Rally: State Awards Behavioral Health Clinics**

Advocates in the fight against addiction gathered at the Statehouse Friday in the annual Rally for Recovery, emphasizing the importance of family and community members in supporting people battling substance use disorder.

The event hosted by Ohio Citizen Advocates for Addiction Recovery featured advocacy groups and providers offering information about social supports for people with addiction. Those who received awards included Gov. John Kasich, who was recognized with the Recovery Ally Award for his work promoting policy to fight drug addiction and expanding Medicaid.

Tracy Plouck, director of the Department of Mental Health and Addiction Services, said the rally was a way to demonstrate the importance of supporting people battling substance abuse.

"This is an excellent opportunity to raise awareness about how many people around our state are actually living in recovery," she said in an interview. "They're in all neighborhoods, all communities, and recovery is possible. I think this is an opportunity to reduce stigma and show that it isn't just individuals who are living in recovery. It's families, it's neighbors, it's employers, everybody can come together and provide support."

Director Plouck said community supports are essential in helping people who start down the path to recovery stay there.

"Clinical services are increasingly available because of the Medicaid expansion and the changes that have occurred in the last few years, but the availability of different recovery supports is equally important, really," she said. "You can connect with sobriety, but you need supports in the community, you need to not feel isolated in order to sustain that recovery."

Speakers included Joe Smith, a father of three daughters who suffer from addiction, who said recovery takes more than one person.

"It takes the community to recover," he said. "Each one of us who recovers helps facilitate the recovery of others."

**Behavioral Health Grants:** ODMHAS announced \$6 million in grants this week for community mental health and addiction service providers. The funding was awarded on a first-come, first-served basis to certified providers who intended to initiate or expand workforce capacity through training, tuition reimbursement and loan repayment programs.

"Ohio, like the rest of the nation is experiencing challenges to recruit, retain and support, on a long term basis, our existing workforce in community behavioral health agencies," Director Plouck said in a statement. "These grants represent another step forward as we work collectively to build a highly-qualified workforce and significantly increase system capacity at a time when communities continue to face serious challenges with opioid addiction and mental illness."

The department sent award notices to 61 providers across the state, who were each eligible for one-time funding up to \$100,000.

**Pharmacy Grant:** The State Board of Pharmacy this week also announced it received a grant worth nearly \$400,000 from the U.S. Department of justice to fund a two-year pre-criminal intervention program to deal with prescription drug abuse.

The program will use data from the Ohio Automated Rx Reporting System to identify signs of prescription drug abuse and connect those people with drug treatment or other support services.

"The goal of the program is to prevent addicted individuals from entering the criminal justice system," Pharmacy Board Executive Director Steven Schierholt said. "By engaging early, we can direct individuals to treatment before they turn to illicit, and more potent, drugs such as heroin or fentanyl."

#### **[High Court Clarifies Record Sealing Law; Buckeye Institute Joins In Public Sector Union Case; Ohio Professor Nominated For Federal Judgeship...](#)**

A trial court is under no obligation to wait until the statute of limitations expires to seal the records in a case dismissed without prejudice, the Ohio Supreme Court ruled.

The decision authored by Justice Terrence O'Donnell resolves a conflict between the Fifth District Court of Appeals and the Eighth District Court of Appeals.

"Had the legislature intended for the applicable statute of limitations in a case dismissed without prejudice to expire before a trial court can seal a record under R.C. 2953.52(B)(4), it could have used the language it did in R.C. 2953.52(B)(3) regarding applications to seal records of DNA specimens. But it did not do so," he wrote.

The conflict was certified after James Dye of Pickerington had five misdemeanor charges against him dismissed without prejudice in the Fairfield County Municipal Court. He unsuccessfully sought to have the dismissal sealed by the trial court, a decision that was upheld by the Fifth District Court of Appeals, the high court reported.

Mr. Dye argued that both courts erred in determining that he was not eligible to have the records sealed because the statute of limitations had not expired.

The state, like Mr. Dye, argued that the statute is unambiguous. However, it said the language clearly makes him ineligible to have his record sealed until the statute of limitations expires.

Justice O'Donnell was joined in his opinion by five of his fellow members of the court, while Chief Justice Maureen O'Connor concurred in judgement only.

**Union Case:** The Buckeye Institute has joined a legal battle that could have major implications for public sector unions.

The group filed an amicus brief in the case of *Janus v. AFSCME*, which is currently before the U.S. Supreme Court.

Mark Janus, a child support specialist in Illinois, argues that being forced to pay agencies fees after opting out of his collective bargaining unit is a violation of his First Amendment rights.

"We are pleased that the Supreme Court will take up this crucial case to protect the First Amendment rights of public employees," President and CEO Robert Alt said. "Forcing employees to pay for speech with which they disagree and forcing them to pay fees to a union in order to keep their jobs is unjust and unconstitutional. We are confident that Mr. Janus will prevail and that the court will rule in favor of the First Amendment rights of all public employees."

**Federal Judgeship:** President Donald Trump has nominated Ryan T. Holte to serve on the bench of the U.S. Court of Federal Claims.

Mr. Holte currently serves as an associate professor of law and the director of the Center for Intellectual Property Law and Technology at the University of Akron School of Law.

He serves as general counsel, partner, and co-inventor of an electrical engineering technology company. He also worked as a trial attorney at the Federal Trade Commission, practiced law as an associate at Jones Day and clerked for a judge on the Eleventh Circuit Court of Appeals.

**Federal Grant:** An eight-state collaborative formed to combat the opioid crisis will receive a \$1 million federal grant to aid in its efforts, the high court announced Friday.

The Regional Judicial Opioid Initiative - comprised of Ohio, Illinois, Indiana, Kentucky, Michigan, North Carolina, Tennessee and West Virginia - was awarded the grant by the U.S. Department of Justice's Bureau of Justice Assistance.

"Our regional effort serves as a bridge connecting key leaders and staff from law enforcement, to courts, to treatment providers, to children services and other aid organizations," Chief Justice O'Connor said. "This grant will go a long way toward helping close the information, enforcement, services and treatment gaps that have allowed this epidemic to fester and grow."

**Volunteers Honored:** Fourteen individuals who lead tours at the Thomas J. Moyer Ohio Judicial Center were honored for their service by all seven high court justices during a luncheon, according to the court.

"Your knowledge and enthusiasm are appreciated throughout the building by the staff and the justices," Chief Justice O'Connor said. "I want you to know that. Those of us who work here, and you by extension, as being a face with many of the students that come into this building, are extremely proud of the building and proud of what you do for us in showcasing the building and this institution."

**Judicial Candidates:** The Board of Professional Conduct announced its 2018 schedule of seminars for judicial candidates.

**Disciplinary Hearings:** The Board of Professional Conduct also announced disciplinary hearings scheduled for October.

#### **Borges Issues Warning After OEC Ruling; Dems File On Over ECOR Overpayments; Renacci Cancels NFL Ad**

An Elections Commission ruling could drastically alter the landscape of elections in Ohio, a former chairman of the Ohio Republican Party said Friday.

Matt Borges, who is now working for the Yes on Issue 2 campaign, said the panel's Thursday decision to dismiss two complaints against the opponents of a November ballot measure could open the door for political campaigns to use LLCs as pass-through entities to avoid financial disclosures.

Dismissed were complaints that the opposition PAC, Ohioans Against Issue 2, intentionally hid the source of its fundraising and violated state campaign finance disclosure laws. (See Gongwer Ohio Report, September 28, 2017)

Both complaints filed by the Yes campaign centered on the idea that PhARMA, a trade association of the pharmaceutical industry, was used as a pass-through entity to conceal millions of dollars of contributions from the drug industry to the PAC.

"If they had to do some long-term damage to Ohio to get what they want, they had no problem with that," Mr. Borges said. "They have been trying to keep folks in the dark throughout this entire campaign."

But Dale Butland, a spokesman for the No campaign, said the letter of the law was followed.

"If Matt Borges and the Yes side believe that Ohio law should be changed, then they should go to the legislature and ask them to do that," he said.

Mr. Butland also said Mr. Borges complaint about the dismissal is emblematic of a campaign in a "death spiral."

"The reason that they are going to lose isn't because there hasn't been enough debates, it's not because our side is not following the law, it's because they have a lousy proposal that will do great damage to this state and its people," he said.

**ECOT Overpayments:** With the announcement Thursday that the Electronic Classroom of Tomorrow will be docked an additional \$19 million for overpayments, one gubernatorial candidate is calling for the school to be "expelled."

Betty Sutton called the school's proposed change in status to a dropout and recovery institution a "sham."

"A failing school shouldn't be allowed to teach at-risk kids just so it can continue to rip off taxpayers. When a school lies and cheats they should be expelled. It's plain and simple. If they can't do basic math, they should not pretend to teach Ohio's kids," the Democrat said.

"It is beyond ridiculous that a sham school that leads Ohio in dropouts would be designated a dropout recovery school. We need to make Ohio the opportunity state by providing a good education for our children and that starts with expelling ECOT."

A Department of Education audit found that ECOT last year over-reported the number of full-time students it enrolls by 18.5% (See Gongwer Ohio Report, September 28, 2017)

The online charter school has already been order to repay \$60 million from the 2015-16 school year.

**Renacci Ad:** Those watching the Cleveland Browns take on the Cincinnati Bengals this weekend will not be learning about U.S. Rep. Jim Renacci's gubernatorial campaign.

The Alliance Republican announced Friday that he has canceled a \$20,000 ad buy during the game in the wake of a growing number of NFL players using the National Anthem as a platform to protest what they believe is racial injustice.

"While the First Amendment clearly affords NFL players and officials the freedom to engage in this appalling behavior, having the right to do something does not mean it's the right thing to do. Throughout our nation's history, countless American men and women of all backgrounds and races have sacrificed deeply to protect and preserve the ideals that our nation and its flag stand for - and our National Anthem serves as a tribute to that sacrifice that we should honor, not disparage," he said.

"And while the right to speak and protest peacefully is a fundamental freedom that we as Americans enjoy, protesting the most sacred symbols of those freedoms is both sadly ironic and an inexcusable, offensive display of contempt for what our nation stands for."

**Harbaugh Endorsement:** Ken Harbaugh, who is seeking to oust U.S. Rep. Bob Gibbs (R-Lakeview), announced that the Communications Workers of America has endorsed his candidacy in the 7th Congressional District.

"I am honored to have this endorsement from CWA. Ohio workers are among the best in the world. We need to fight for fair trade agreements and give our hard-working men and women a level playing field on which to compete," the Democrat said. "Folks working full-time jobs can and should be able to support their families. CWA is fighting for these improvements and so am I."

Added CWA District 4 Vice President Linda Hinton: "Ken's education, military background, and the fact he has spent a life helping others, show the experience and character needed to make workers and working families a priority."

#### **Agency Briefs: Ohio Minimum Wage Rising to \$8.30 by 2018**

Ohio's minimum wage will rise to \$8.30 per hour next year, up about 2% alongside the rate of inflation, the Department of Commerce announced Friday.

The \$8.30 wage applies to non-tipped employees at businesses with gross annual receipts of more than \$305,000 per year. For tipped employees, the new minimum wage will be \$4.15 per hour.

The current minimum wage is \$8.15 for non-tipped employees and \$4.08 for tipped employees.

For people who work at companies with gross receipts below \$305,000, and for 14- and 15-year-olds, the minimum wage will be the federal rate of \$7.25 per hour.

The state increase stems from an increase of 1.9% in the consumer price index.

**Public Utilities:** The Power Siting Board will hold a hearing Dec. 5 to allow the public to voice views about a proposal by Vinton Solar Energy LLC to build a solar-powered electric generation facility in Vinton county.

The hearing will take place at 6 p.m. that day at the Vinton County Community Building in McArthur.

The proposed facility would include arrays of solar panels with a combined generating capacity of up to 125 megawatts. It would be located on 1,950 acres of leased land in Elk Township, and the facility would be connected to the grid through American Electric Power's nearby Elk substation.

The adjudicatory hearing in the case will be at 10 a.m. Dec. 15 at the PUCO offices in Columbus.

**U.S. Department of Agriculture:** The department will award a \$22,910 solid waste management grant to Mahoning County, U.S. Rep. Tim Ryan (D-Niles) announced. The money will help fund the county's solid waste management district's rural recycling education and awareness program.

"I am pleased to announce this federal funding for Mahoning County," Rep. Ryan said in a statement.

"When it comes to preserving our environment for our kids, like many other issues, change starts at home. I am encouraged to see state and local governments like Mahoning County continuing to lead the charge on sustainability education. This funding will give rural Mahoning County an important boost, and represents a crucial federal investment. As long as I am in Congress, I will continue to fight to bring these important funds back to Northeast Ohio."

**Agriculture:** Gov. John Kasich on Friday signed an executive order creating an emergency rule on inflatable amusement ride safety inspections related to a change in the biennial budget bill.

The measure (HB 492) eliminated the statutory inspection fee for rides and granted authority to the Department of Agriculture director to develop rules for the fee structure.

The emergency rule announced in the EO will fill the gap until ODO develops the final rules for the inspections.

#### **Governor's Appointments**

**State Dental Board:** Theodore T. Bauer, DDS of Columbus for a term beginning September 29, 2017, and ending April 6, 2021.

**Dentist Loan Repayment Advisory Board:** Jaime L. Darr, DDS of Massillon for a term beginning September 29, 2017, and ending January 28, 2019.

**Ohio Expositions Commission:** John R. Page of Lewis Center for a term beginning September 29, 2017, and ending December 1, 2020.

## Gongwer Statehouse Job Market Updated

Gongwer's Statehouse Job Market has been updated. The update is available on the Gongwer website.

Subscribers interested in posting job openings on Gongwer's employment board can send job descriptions and other information to [gongwer@gongwer-oh.com](mailto:gongwer@gongwer-oh.com).

## Attorney General's Opinion

No. 2017-032. Requested by Williams County Prosecuting Attorney Katherine J. Zartman. **SYLLABUS:**

A person may not serve simultaneously as prosecuting attorney of Williams County and member of a joint-county board of alcohol, drug addiction, and mental health services of a joint-county alcohol, drug addiction, and mental health service district of which Williams County is a part.

## Supplemental Agency Calendar

**Monday, October 2**

Banking Commission, 77 South High Street, Room East B on the 31st floor, Columbus, 10 a.m.

**Tuesday, October 3**

BRAC & Military Affairs Task Force, Rickenbacker Air Guard Base, 7370 Minuteman Way, Columbus, 1 p.m.

**Wednesday, October 4**

Board of Building Appeals, Ohio Department of Transportation, District Three Office, Conference Room, 906 Clark Avenue, Ashland, 8:30 a.m.

Real Estate Commission, 77 South High Street, 22nd Floor, Columbus, 9 a.m.

**Thursday, October 5**

Power Siting Board, 180 E. Broad St., Room 11B, Columbus, 3:30 p.m.

**Friday, October 6**

Board of Building Standards, 6606 Tussing Road, Training Room 1, Reynoldsburg, 10 a.m.

## Supplemental Event Planner

**Tuesday, October 3**

Ohio Domestic Violence Network to recognize National Domestic Violence Awareness Month, Museum Gallery, Statehouse, Columbus, 9:30 a.m.

17 S. High St., Suite 630  
Columbus, Ohio 43215

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Click the  after a bill number to create a saved search and email alert for that bill.

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## Legislative Committee Schedules beginning 10/2/2017

Monday, October 2

Joint Committee on Agency Rule Review (Committee Record) (Chr. Duffey, M., 644-6030), Rm. 121, 1:30 p.m.

Tuesday, October 3

Senate Insurance & Financial Institutions (Committee Record) (Chr. Hottinger, J., 466-5838), Finance Hearing Rm., 9:30 a.m.

- Confirmation hearing on governor's appointment of William Sanderson, Ohio Housing Finance Agency

HB 52 DEED SOLICITATION (Rezabek, J.) To regulate the solicitation of certain deeds. (2nd Hearing-Proponent)

SB 120 DEBT ADJUSTING (Eklund, J.) Regarding debt adjusting (3rd Hearing-Opponent & interested party)

SB 121 MAMMOGRAM COVERAGE (Eklund, J.) To include tomosynthesis as part of required screening mammography benefits under health insurance policies. (2nd Hearing-Proponent)

SB 169 TRAVEL INSURANCE (Wilson, S.) To oversee the sale of travel insurance. (2nd Hearing-Proponent)

HB 199 MORTGAGE LENDING (Blessing, L.) To create the Ohio Residential Mortgage Lending Act for the purpose of regulating all non-depository lending secured by residential real estate and to limit the application of the current Mortgage Loan Law to unsecured loans and loans secured by other than residential real estate. (2nd Hearing-Proponent)

Senate Judiciary (Committee Record) (Chr. Bacon, K., 466-8064), North Hearing Rm., 10:15 a.m.

SB 195 DOGS LAW (Beagle, B.) To revise provisions of the Dogs Law governing nuisance, dangerous, and vicious dogs, to revise enforcement of that Law, and to establish a notification process regarding complaints of certain violations of that Law. (1st Hearing-Sponsor)

SB 196 BULLYING (Williams, S.) To create the offense of aggravated bullying, a third-degree misdemeanor. (1st Hearing-Sponsor)

SB 130 FRANKLIN COUNTY COURT (Tavares, C.) To add two judges to the Domestic Relations Division of the Franklin County Court of Common Pleas to be elected in 2018. (1st Hearing-Sponsor)

SB 150 DOMESTIC VIOLENCE (Brown, E.) To prohibit a person convicted of domestic violence or assault of a family member, or a person subject to certain protection orders, from having a firearm; to establish a procedure for surrendering all firearms in the person's possession; and to name the act the "Domestic Violence Survivors Protection Act." (1st Hearing-Sponsor)

SB 138 INMATE SEARCHES (Eklund, J.) To authorize a corrections officer to cause a body cavity search to be conducted, to establish separate rules and restrictions for conducting strip searches, and to limit the right of any person to commence a civil action for a violation of the law governing body cavity searches and strip searches to violations related to body cavity searches. (1st Hearing-Sponsor)

SCR 6 EXTRADITION (O'Brien, S.) To urge the President of the United States, the United States Secretary of State, and the Congress of the United States to compel Brazil to extradite Claudia Hoerig to stand trial for the aggravated murder of her husband, Major Karl Hoerig, and to request that the United States terminate foreign aid payments to Brazil if Claudia Hoerig is not extradited. (1st Hearing-Sponsor)

SCR 10 GAULT DECISION (Thomas, C.) To recognize 2017 as the fiftieth anniversary of *In re Gault*. (1st Hearing-Sponsor)

SB 171 PROTECTION ORDERS (Hottinger, J.) To increase the penalty that applies to the offense of violating a protection order under certain circumstances and to require electronic monitoring of those convicted of violating certain protection orders to be carried out by probation agencies. (1st Hearing-Sponsor)

House Aging & Long Term Care (Committee Record) (Chr. Arndt, S., 644-6011), Rm. 122, 2:30 p.m.

- Presentation from Dr. Robert Applebaum of the Scripps Gerontology Center: "Policy Does Matter: Continued Progress in Providing Long Term Services and Supports for Ohio's Older Population"

HB 286 PALLIATIVE CARE (LaTourette, S.) To create the Palliative Care and Quality of Life Interdisciplinary Council, to establish the Palliative Care Consumer and Professional Information and Education Program, and to require health care facilities to identify patients and residents who could benefit from palliative care. (2nd Hearing-Proponent-Possible substitute)

House Public Utilities (Committee Record) (Chr. Cupp, R., 466-9624), Rm. 116, 3 p.m.

HB 239 SECURITY RESOURCES (Smith, R., Carfagna, R.) To allow electric distribution utilities to recover costs for a national security generation resource. (6th Hearing-All testimony-Possible amendments)

Senate Health, Human Services & Medicaid (Committee Record) (Chr. Burke, D., 466-8049), South Hearing Rm., 3:15 p.m.

- Confirmation hearing on governor's appointments of Joshua Cox, Benjamin Fields and Megan Marchal, State Board of Pharmacy; Michael Gonidakis, State Medical Board and Robert Schuerger, II, Ohio Athletic Commission

HB 145 CONFIDENTIAL TREATMENT (Huffman, S., Sprague, R.) To provide for the establishment of a confidential program for the treatment of certain impaired practitioners and to declare an emergency. (1st Hearing-Sponsor)

SB 143 DAY DESIGNATION (Eklund, J.) To designate September 25 as 'International Ataxia Awareness Day' in Ohio. (2nd Hearing-Proponent)

HB 111 MENTAL HEALTH COMMITMENTS (Carfagna, R., Ryan, S.) To authorize certain advanced practice registered nurses to have a person involuntarily transported to a hospital for a mental health examination. (2nd Hearing-Proponent)

## Wednesday, October 4

Senate Ways & Means (Committee Record) (Chr. Eklund, J., 644-7718), South Hearing Rm., 9 a.m.

HB 118 PROPERTY TAX COMPLAINTS (Merrin, D.) To expressly prohibit the dismissal of a property tax complaint for failure to correctly identify the property owner. (2nd Hearing-Proponent)

SB 186 BUSINESS INCOME (Peterson, B.) To provide that wages and guaranteed payments paid by a professional employer organization to the owner of a pass-through entity that has contracted with the organization may be considered business income. (3rd Hearing-Opponent & Interested party)

HB 69 TIF DISTRICTS (Cupp, R.) To require reimbursement of certain township fire and emergency medical service levy revenue forgone because of the creation of a municipal tax increment financing district. (4th Hearing-All testimony)

House Transportation & Public Safety (Committee Record) (Chr. Green, D., 644-6034), Rm. 017, 10 a.m.

- Presentations on autonomous and connected vehicles from Jonathan Weinberger, VP of Innovation and Technology for the Auto Alliance and Josh Fisher, manager state government affairs for Global Automakers

## Tuesday, October 10

House Session (Committee Record) (Chr. Rosenberger, C., 466-3357), House Chamber, 11 a.m.

- If needed Senate Rules & Reference (Committee Record) (Chr. Obhof, L., 466-7505), Majority Conf. Rm., 11 a.m.
- If needed Senate Session (Committee Record) (Chr. Obhof, L., 466-4900), Senate Chamber, 1:30 p.m.
- If needed

## Wednesday, October 11

Senate Rules & Reference (Committee Record) (Chr. Obhof, L., 466-7505), Majority Conf. Rm., 11 a.m.

House Session (Committee Record) (Chr. Rosenberger, C., 466-3357), House Chamber, 1:30 p.m.

Senate Session (Committee Record) (Chr. Obhof, L., 466-4900), Senate Chamber, 1:30 p.m.

## Thursday, October 12

Ohio Retirement Study Council (Committee Record) (Chr. Schuring, K., 228-1346), Rm. 121, 10 a.m.

NOTE: Click bill or resolution number links to see the legislative history compiled by Gongwer News Service. Click the <#> after a bill number to create a saved search and email alert for that bill. Click "Full Text" if present to view the text of legislation on the Legislature's Web site.

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## **Daily Activity Planner for Saturday, September 30- Monday, October 2**

### **Legislative Committees**

Thursday, October 12

Joint Committee on Agency Rule Review (Committee Record) (Chr. Duffey, M., 644-6030), Rm. 121, 1:30 p.m.

### **Agency Calendar**

Monday, October 2

Banking Commission, 77 South High Street, Room East B on the 31st floor, Columbus, 10 a.m.

Speaker's Task Force on Heroin, Opioids, Prevention, Education, and Safety, MetroHealth, Scott Auditorium, Cleveland, 1:30 p.m.

### **Event Planner**

Sunday, October 1

Ohio Legislative Black Caucus 50th Anniversary events, Canton, (5:15-6:15pm: Welcome Reception & Hall of Fame Tours; 6:15pm-8:15: Program & Dinner; 8:20pm-10:00pm: Live Music with the Four Keeps; 10:00pm: After Party Reception at the M-Bar)

Sen. Bob Peterson (R-Sabina) fall fest fundraiser, Peterson Farm, 5564 Grassy Branch Rd., Sabina, 4 p.m., (\$25 per Person or \$50 per Family to Peterson for Good Government)

Monday, October 2

Ohio Legislative Black Caucus 50th Anniversary events, Canton, (10:30am: Golf Outing Start (registration begins at 8:30am); 1:00pm: First Ladies Library Tour (registration begins at 12:00pm); 2:00pm: President McKinley Museum Tour (registration begins at 12:00pm); 3:00pm-4:00pm: OLBC Cookout/Reception at the National Historic Clearview Golf Course)

Lobbyist and Employer Activity & Expenditure Reports for the May-August 2017 reporting period are due

OHROC Chairman's Cup golf outing fundraiser, Virtues Golf Club, 1 Long Drive, Nashport, 9 a.m., (9:00am Registration; 10:00am Shotgun Start. Event Host: \$5,000; Event Sponsor: \$2,500; Tee Sponsor: \$1,250; Foursome: \$1,000; Individual Golfer: \$250; Reception Only: \$100 to OHROC)

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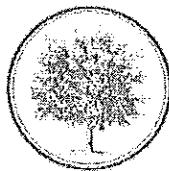
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What the heck is "The Big Give" and why should you care?

In contrast to the bad news surrounding us recently with the tragedy in Vegas and the storms and earthquakes, we have a small piece of uplifting and encouraging news to share!

The Columbus Foundation is sponsoring a 26-hour online giving event where the foundation has agreed to cover all of those pesky credit card processing fees for donations given to participating non-profits (yours truly among them), which means 100% of your gift will go directly to supporting The Buckeye Institute. When the clock strikes 12, the Columbus Foundation will kick in a \$1.3 million bonus pool of funds, which will be divided proportionally between the participating

organizations. In other words, the more you give to Buckeye, the higher percentage of that bonus pool we will receive.

Anyone can give--whether you have \$25 or \$25,000! It is a few easy clicks away. **Follow this link between 10 a.m. on Tuesday, October 10, and noon on Wednesday, October 11.**

If you are already a member of the Columbus Foundation, you can just sign in. Otherwise, you can simply continue as a guest. Fill in your donation details and credit card information and then hit submit-Voila, you're done!

Are you the kind of person who needs even more incentive than extra money and eliminated credit card fees? Fear not. We have you covered there too. The Big Give's corporate sponsors include Piada, Donatos, White Castle, Homage, Hot Chicken Takeover, and Jeni's Ice Cream. These generous sponsors are providing thank you gifts for those who donate through The Big Give. Just take your donation confirmation on either October 10 or 11 to any of those places for a freebie or discount to thank you for your generosity in supporting The Buckeye Institute.

p.s. If you are a numbers person, did you notice the clever marketing tactic with the dates and times? No? Well, ooooooh, you must see this: the event begins at 10 a.m. on 10/10. Nice. If that wasn't enough, the event ends on 10/11 at 12. For those of us who like things to line up in an orderly fashion, these dates and times were classical-music-to-our-oversaturated-with-pop-songs ears.

p.p.s. We couldn't do our work without you. We don't seek or accept government funding. And we are proudly independent. Please pass this information around to anyone else you think might be interested. It's both a good deal and a good deed. We love you and are grateful for your kindness and consideration.

Have a great weekend, go Bucks, and happy (namesake-of-our-beloved-city) Columbus Day to everyone on Monday!

# # #

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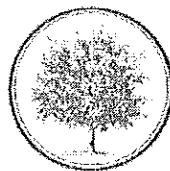
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We wrote to you last week to mention a special opportunity. Well, your big moment has arrived.

Tomorrow is Bill and Hillary Clinton's wedding anniversary. {At The Buckeye Institute, we're about doing hard things, not making easy jabs. So please insert your own appropriate-for-work joke here if you feel so moved. If it's really funny, send it to us by reply email so we can laugh quietly to ourselves at our desks along with you. Working at a think tank is serious business, and we could definitely use a chuckle every once in a while.}

As we mentioned last week, the Columbus Foundation is sponsoring a **26-hour online giving event** during which the foundation is covering all of those pesky credit card processing fees for donations given to participating non-profits (yours

truly among them), which means 100% of your gift will go directly to supporting The Buckeye Institute.

There is no time to waste! When the clock strikes noon tomorrow, it's all over. Your chariot will be returned to its humble beginnings as the original fixings for a pumpkin spice latte and your fairy godmother will be revealed to be your slightly overbearing mother-in-law.

Please give generously to The Buckeye Institute right now. The Columbus Foundation will kick in a \$1.3 million bonus pool of funds, which will be divided proportionally between the participating organizations. In other words, the more you give to Buckeye, the higher percentage of that bonus pool we will receive.

Anyone can give--whether you have \$25 or \$25,000! It is a few easy clicks away. Follow this **link from now until noon tomorrow**. Don't miss out. We need your help to keep pushing back against big government encroachment into our lives, families, and businesses.

If you are already a member of the Columbus Foundation, you can just sign in. Otherwise, you can simply continue as a guest. Fill in your donation details and credit card information and then hit submit--and, voila, you're done, Prince or Princess Charming!

Are you the kind of person who needs even more incentive than extra money and eliminated credit card fees? Fear not. We have you covered there too. The Big Give's corporate sponsors include Piada, Donatos, White Castle, Homage, Hot Chicken Takeover, and Jeni's Ice Cream. These generous sponsors are providing some gorgeous gifts for those who donate through The Big Give. Just take your donation confirmation today or tomorrow to any of those places for a freebie or discount to thank you for your generosity in supporting The Buckeye Institute.

p.s. As always, we couldn't do our work without you. We don't seek or accept government funding. We are proudly independent. Please pass this information around to anyone else you think might be interested. It's both a good deal and a good deed. We love you regardless of your ability to give, and are grateful for your kindness and consideration.

**p.p.s. Let's work together to give enough so that next year Bill and Hillary's wedding anniversary will not be the news of the day, but rather will be**

overshadowed by you turning to your significant other with sweetness and recalling, "remember last year at this time when we broke the record of giving for The Buckeye Institute? Yeah, that was amazing and meaningful. Happy Buckeye one-year giving anniversary, honey!"

# # #

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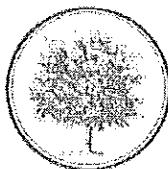
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## THE BUCKEYE INSTITUTE

Everywhere we go-oh, people want to know-oh....

So we tell them.... we at your Buckeye Institute are your #1 best resource for sound policy research, but unfortunately we do not advocate for or against individual candidates or ballot issues--no matter how many of them we suspect will have good or bad impact if they prevail (we follow politics, yes we do, we are not entirely nerdy wonks, how 'bout you?).

While we definitely evaluate the policies contained in the ballot issues, it is up to you to take our research and study the issues before determining which way to vote.

Oh, sure, we have opinions (adamant well-informed ones, too!), but our job is to serve as your first resource for objective independent policy research.

As a consolation prize, hot off the press is our just-released blog that Buckeye's national healthcare expert Rea S. Hederman Jr. posted today describing the policy implications involved with Issue 2 that Ohioans are considering on their ballots Tuesday, Nov. 7.

To help clear your conscience and make an informed decision, give the blog a close read, mark your calendars for November 7, and make your way to the polls next Tuesday to vote whichever way you think is right.

May the best candidates and policies win!

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## **Getting Less for More: Ohio's Proposed Drug Price Control Policy (a.k.a. "Issue 2")**

**By Rea S. Hederman Jr.**  
**October 30, 2017**

Next Tuesday, Ohioans will decide whether to enact a policy that would create price controls for pharmaceuticals that are paid for by the state of Ohio. Advocates claim that these price controls can save the state of Ohio money. Opponents argue that these savings are dubious and price controls will create a host of other problems.

Price controls, whether for drugs, housing, gasoline or blueberries are bad policies. They distort the marketplace and create shortages. If price controls worked, socialist governments throughout history would not have seen their economies disintegrate and the supply of goods disappear.

Regrettably, price controls for drugs is not a new idea. Foreign countries around the world have imposed price controls at the cost of denying citizens access to either new drugs or entire classes of drugs. In the United States, the federal government has a system of price controls on drugs available to patients in the Veterans Affairs (VA) medical system. Although some folks might like us to believe that system can be easily transferred to Ohio, it is not that simple.

Beyond the negative impact of price controls that are known to economists around the world, there are other reasons this proposal is bad policy for Ohioans and nearly impossible to implement.

### **VA Patients Have Access to Fewer Drugs**

The consequence of VA price controls is that its patients have less access to drugs compared to Medicare beneficiaries. This is particularly true for access to generic drugs. Almost 100 percent of Part D drugs have a generic equivalent while only half of VA drugs have a generic equivalent. If Ohio adopts price controls, many Ohioans will pay more because they will lose access to their cheaper generics and will be forced to buy the more expensive "name brand" drugs instead.

#### **Ohio Doesn't Oversee its Own Health Care System**

The VA has its own network of hospitals and health care providers, and since it controls its own network, the VA knows which prices it negotiates throughout the system. In Ohio, we have many hospitals, health care systems, and health care providers. And people on a state-funded plan (anyone for whom the state helps pay for health care—from Medicaid recipients to state employees who receive health care through their employer, which is the state of Ohio) see the same doctors and go to the same hospitals as those who pay for their own plans and those whose plans are paid for by private employers.

To complicate this situation further, the VA does not make its entire list of negotiated prices readily available, so frequently Ohio would have no idea what price it should be paying for drugs. That means you could be delayed in getting life-saving medication due to bureaucratic slowness in Washington, D.C., because -- under the proposal -- the state is not allowed to pay more than the VA price.

#### **Ohio Would Lose Savings it is Already Getting Through its Negotiations**

When Ohio negotiates its drug prices, it often receives rebates from drug manufacturers. For example, Ohio pays a pharmacy \$1 for an antibiotic pill, but the manufacturer of the pill gives the state a large rebate so the real cost to the state is 80 cents a pill. Like a grocery store manufacturer's coupon, the rebate goes to the purchaser, the state of Ohio, and not the retail seller -- in this case the pharmacist or grocery store.

Under the current proposal, Ohio would pay pharmacists the VA price for the pill with no negotiation. If the pharmacist is no longer receiving \$1 a pill, but is receiving 75 or 80 cents a pill, then pharmacists may be losing money on some drugs. And if pharmacists lose money on a certain drug, they may have to stop selling it in order to keep their businesses open. All this for a dubious amount in "savings."

#### **Many Ohioans Will Pay More for Necessary Medication**

If you don't work for the state and are one of the many Ohioans who has insurance through a private employer, price controls could force you to pay more for the medications you need.

Ohioans on private plans belong to large purchasing groups through health insurers who bargain for cheaper prices through bulk drug sales. This makes drugs **more affordable** for all members of the buying group. If this proposal (Issue 2) is adopted, Ohioans, who receive health care through state plans, will no longer be allowed to bargain on any drug covered by the VA. That means the purchasing group will be smaller, and those remaining will have less bargaining power. That will result in higher prices for other members in the group.

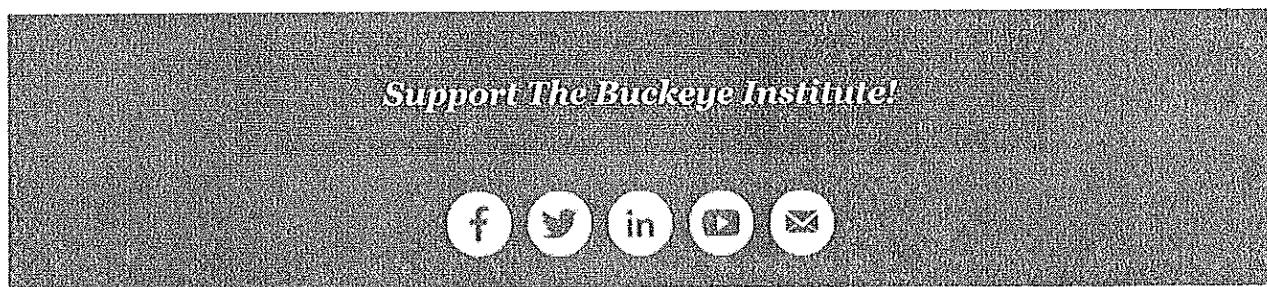
While price controls seem alluring as an easy way to create savings, whenever they have been tried, they result in shortages, reduced access, and higher prices for some products. This proposed price control policy will be no different and savings to the state will come at the cost of availability of necessary drugs and higher costs to Ohioans.

*Rea S. Hederman Jr. is executive vice president at The Buckeye Institute and is an expert in health care policy.*

# # #

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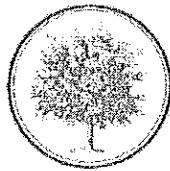
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**Subject:** Buckeye President Robert Alt in Forbes: American Workers Deserve Voting Rights

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In between the numerous "Giving Tuesday" emails you have likely received today, we hope you will take a minute to read Robert Alt's compelling piece in **Forbes**.

In the article, Robert argues that we need to change our laws in order to empower public-sector workers with the voting rights they deserve.

Who among us believes it is fair that these workers are being denied the right to vote and the ability to have a voice or a choice on which union represents them? Not your Buckeye Institute. We stand solidly in favor of **Worker Voting Rights** and believe workers deserve a voice and a choice in their representation.

Buckeye President & CEO Robert Alt has been featured on more than 70 radio shows across the country in the past few months talking about Buckeye's Worker Voting Rights project, which is quickly gaining momentum, earning media attention, and catalyzing action.

As Robert describes in the **Forbes** piece in more detail (see below for the full article or [click through to \*\*Forbes\*\* directly](#)), the time has come and the time is right now for **Worker Voting Rights**.

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# Forbes

## It's Time For Public Sector Workers To Be Given A Voice And Choice

Forbes

By Robert Alt

November 27, 2017

Early next year, the Supreme Court will hear *Janus v. American Federation of State, County, and Municipal Employees, Council 31*. Mark Janus is a child support specialist at the Illinois Department of Healthcare and Family Service who objects to paying union fees, which are currently a condition of his employment. He argues that the compulsory fees force him to speak through his union in ways that violate his First Amendment rights.

If Mr. Janus prevails, he and other public-sector employees will be able to choose whether or not to pay union dues or fees without threat of being fired, which would be a tremendous victory for workers. However, even if Mr. Janus wins in court, public sector union members will still have no say regarding which union represents their bargaining unit.

Every morning, hardworking men and women in every state drink their coffee and diligently go to work on our behalf -- in our neighborhoods as public school teachers, home care workers, engineers, and in agencies protecting the environment. Unfortunately, while these civic-minded professionals go to work for us, the labor unions that they must join in order to teach our children or serve our communities do not always work for them.

Once a public-sector union is certified, it remains the workers' representative -- potentially forever. In Ohio, for example, the Columbus Education Association has represented Columbus public school teachers since 1968 -- back when the Beatles were still together and before many of today's teachers were even born.

Heirloom unions inherited from the Nixon-era are depriving today's public workers and civil servants of any meaningful voice or choice in their workplace. Ninety-four percent of union workers have **never had the chance to vote for or against their unions** -- and still won't even if Janus succeeds in his case.

When a public-sector union fails to address employee complaints or misspends union dues, there is no ballot to cast for change. Instead, public employees remain stuck with the hand-me-down unions that workers who wore bell-bottoms chose for them.

There is a solution.

With worker voting rights, public employees would have regular elections to encourage their unions to be more responsive to their members' interests. Worker voting rights gives union workers an opportunity to be heard, to voice their concerns to their union leaders, to better understand how their union dues are spent, and to choose for themselves whether to keep the union they have, vote their union out, or vote in a better union. Worker voting rights would incentivize union leaders to cultivate broader support among the workforce they represent and to be accountable to their rank-and-file members. Not surprisingly, 82% of unionized Americans **favor holding periodic votes on their union representation**.

Once-and-for-all unions that rarely -- if ever -- face re-election have no worry of being fired by their members for poor performance or disregarding members' concerns. In states that require workers to pay "fair share" fees as a condition of employment, union leadership failure has next to no consequences, because whether the union negotiates better working conditions for its members or not, whether it spends union dues wisely or not, whether it meets the needs of its members or not, there is almost nothing public employees can do to replace or remove the poorly performing union. Even if these public employees are dissatisfied with their representation, they have to continue paying their union dues or fair share fees, or else their employment can be legally terminated.

Public-sector unions and their insulated union officials know and count on this questionable practice of denying their members voting rights, allowing unions that are not taking care of their members to remain firmly entrenched regardless of their members' satisfaction. But state lawmakers can guarantee worker voting rights for public employees by providing for regular elections by law.

Unions have played a significant role in America's workforce for well over a century. But the interests of the unions themselves should never trump the interests of the hardworking men and women these unions represent. Our civil servants and public-

sector employees deserve to have their voices heard and their choices matter -- they deserve worker voting rights.

*Robert Alt is President & CEO of The Buckeye Institute in Columbus, Ohio.*

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p.s. The Buckeye Institute is receiving gifts today as part of "Giving Tuesday" and invite you to consider supporting our work, which is transforming public policy at the state level. Check out our [appeal from last year](#) for explanation of this online phenomenon and background on how it started, then submit a generous donation to [your favorite policy organization](#) as you are able.

**#GIVING  
TUESDAY**

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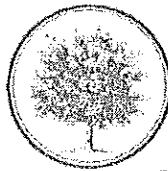
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**To:** Derksen, Nick  
**Subject:** Buckeye President Robert Alt in Forbes: American Workers Deserve Voting Rights

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In between the numerous "Giving Tuesday" emails you have likely received today, we hope you will take a minute to read Robert Alt's compelling [piece in Forbes](#).

In the article, Robert argues that we need to change our laws in order to empower public-sector workers with the voting rights they deserve.

Who among us believes it is fair that these workers are being denied the right to vote and the ability to have a voice or a choice on which union represents them? Not your Buckeye Institute. We stand solidly in favor of **Worker Voting Rights** and believe workers deserve a voice and a choice in their representation.

Buckeye President & CEO Robert Alt has been featured on more than 70 radio shows across the country in the past few months talking about Buckeye's Worker Voting Rights project, which is quickly gaining momentum, earning media attention, and catalyzing action.

As Robert describes in the Forbes piece in more detail (see below for the full article or [click through to Forbes directly](#)), the time has come and the time is right now for Worker Voting Rights.

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# Forbes

## It's Time For Public Sector Workers To Be Given A Voice And Choice

Forbes

By Robert Alt

November 27, 2017

Early next year, the Supreme Court will hear *Janus v. American Federation of State, County, and Municipal Employees, Council 31*. Mark Janus is a child support specialist at the Illinois Department of Healthcare and Family Service who objects to paying union fees, which are currently a condition of his employment. He argues that the compulsory fees force him to speak through his union in ways that violate his First Amendment rights.

If Mr. Janus prevails, he and other public-sector employees will be able to choose whether or not to pay union dues or fees without threat of being fired, which would be a tremendous victory for workers. However, even if Mr. Janus wins in court, public sector union members will still have no say regarding which union represents their bargaining unit.

Every morning, hardworking men and women in every state drink their coffee and diligently go to work on our behalf -- in our neighborhoods as public school teachers, home care workers, engineers, and in agencies protecting the environment. Unfortunately, while these civic-minded professionals go to work for us, the labor unions that they must join in order to teach our children or serve our communities do not always work for them.

Once a public-sector union is certified, it remains the workers' representative -- potentially forever. In Ohio, for example, the Columbus Education Association has represented Columbus public school teachers since 1968 -- back when the Beatles were still together and before many of today's teachers were even born.

Heirloom unions inherited from the Nixon-era are depriving today's public workers and civil servants of any meaningful voice or choice in their workplace. Ninety-four percent of union workers have **never had the chance to vote for or against their unions** -- and still won't even if Janus succeeds in his case.

When a public-sector union fails to address employee complaints or misspends union dues, there is no ballot to cast for change. Instead, public employees remain stuck with the hand-me-down unions that workers who wore bell-bottoms chose for them.

There is a solution.

With worker voting rights, public employees would have regular elections to encourage their unions to be more responsive to their members' interests. Worker voting rights gives union workers an opportunity to be heard, to voice their concerns to their union leaders, to better understand how their union dues are spent, and to choose for themselves whether to keep the union they have, vote their union out, or vote in a better union. Worker voting rights would incentivize union leaders to cultivate broader support among the workforce they represent and to be accountable to their rank-and-file members. Not surprisingly, 82% of unionized Americans **favor holding periodic votes on their union representation**.

Once-and-for-all unions that rarely -- if ever -- face re-election have no worry of being fired by their members for poor performance or disregarding members' concerns. In states that require workers to pay "fair share" fees as a condition of employment, union leadership failure has next to no consequences, because whether the union negotiates better working conditions for its members or not, whether it spends union dues wisely or not, whether it meets the needs of its members or not, there is almost nothing public employees can do to replace or remove the poorly performing union. Even if these public employees are dissatisfied with their representation, they have to continue paying their union dues or fair share fees, or else their employment can be legally terminated.

Public-sector unions and their insulated union officials know and count on this questionable practice of denying their members voting rights, allowing unions that are not taking care of their members to remain firmly entrenched regardless of their members' satisfaction. But state lawmakers can guarantee worker voting rights for public employees by providing for regular elections by law.

Unions have played a significant role in America's workforce for well over a century. But the interests of the unions themselves should never trump the interests of the hardworking men and women these unions represent. Our civil servants and public-

sector employees deserve to have their voices heard and their choices matter -- they deserve worker voting rights.

*Robert Alt is President & CEO of The Buckeye Institute in Columbus, Ohio.*

---

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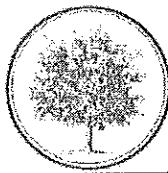
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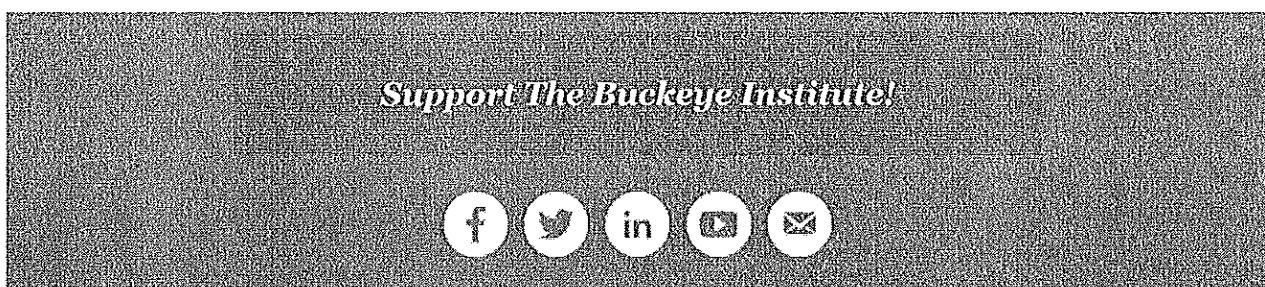
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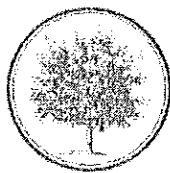
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**FOR IMMEDIATE RELEASE**  
December 11, 2017

## **New Buckeye Report Finds Ohio's "Money Bail" System is Dangerous to Communities**

Columbus, OH -- Today, The Buckeye Institute released its latest policy report, "*Money Bail*": *Making Ohio a More Dangerous Place to Live*, which looks at the need for Ohio to replace its failing cash bail system with proven risk-assessment tools that provide a fairer, more efficient way to keep Ohio's communities safe and secure.

"The traditional money bail scheme is in dire need of reform, it is an inefficient, expensive, unfair means of protecting communities that has proven no guarantee to stopping repeat offenders," said **Daniel J. Dew**, a legal fellow with The Buckeye Institute's Legal Center and author of the report. "Under our current system, accused murderers, child rapists, and armed robbers are arrested and released into our communities because they have access to money, while citizens accused of jaywalking, violating dress-codes, or failing to pay traffic tickets sit in jail for days, weeks, or even months because they have little or no access to cash. We can and must do better."

### **Recommendations and Alternative Tools**

In *Money Bail*, Dew recommends the use of evidence-based, risk-assessment tools to assess the risk an individual poses, such as their criminal history, the offense, and prior missed court dates. These tools give judges greater flexibility and resources to hold defendants accountable pending trial, and to deny release when there is clear evidence that the accused poses significant risks to the community. Dew also suggests a number of alternatives to cash bail, such as electronic monitoring, mandatory counseling, and routine check-ins that allow judges to hold defendants accountable.

### **Proven Success of Risk-Assessment Tools**

The risk-assessment tools Dew recommends have proven successful in communities where they have been used. **Lucas County** has seen more defendants released before trial, more defendants appearing for trial, and less crime committed by those awaiting trial. Defendants arrested while on pretrial release dropped from 20 percent to 10 percent, and skipped court dates dropped by 12 percent, even as the number of people released without money bail doubled.

### **Where the Current System Failed**

Dew also looks at 11 cases in Ohio where the current money bail system failed, including that of **Dragan Sekulic** of Stark County, who, after attempting to kill his ex-wife with his car, was released on \$100,000 bond. While he awaited trial, he shot and killed Zeljka.

On the other end of the spectrum is the case of **Markcus Brown** who spent nine days in jail after being arrested for trespassing when his clothes violated the Greater Dayton Regional Transit Authority's dress code. After his arrest, Brown's bail was set at \$150, which his family could not afford. As a result, Brown sat in jail until his mother secured a car title loan nine days later.

"The Buckeye Institute's expose on money bail is a disturbing indictment of a justice system that often jails poor people for petty crimes, and allows those accused of sexual and violent crimes to buy their way to freedom," said Holly Harris of the **Justice Action**

Network. "Fortunately, we now have legislation in HB 439 that would empower judges to make pre-trial release decisions based on the threat an accused person poses to society, and not on how much cash that person can pony up to the court. Given the disturbing case studies on money bail unearthed by Buckeye, some of which led to heartbreaking deaths, it is difficult to imagine any legislator on either side of the aisle voting against this bill."

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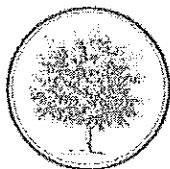
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**FOR IMMEDIATE RELEASE**  
December 20, 2017

**The Buckeye Institute Releases Economic  
Freedom of North America 2017**  
*Ohio Ranks 35<sup>th</sup> Among the 50 States in Economic Freedom*

Columbus, OH -- Ohio ranks 35<sup>th</sup> out of all 50 states in this year's *Economic Freedom of North America* report, released today by The Buckeye Institute in partnership with Canada's Fraser Institute. The report ranks every state and province in North America based on economic freedom as measured by government spending, taxation, and labor market restrictions.

"The news is mixed for Ohio. The state has moved up a few spots this year, mostly due to Governor John Kasich's tax reform efforts in 2015. Yet, overall Ohio still languishes in the bottom third of states and trails most of its neighbors," wrote **Rea S. Hederman Jr.**, executive director of The Buckeye Institute's **Economic Research Center** and vice president of policy, in the report's forward. "Given this ranking, it is not surprising that the state struggles to retain its workers and is not a destination for entrepreneurs seeking a new place to start a business."

Using data from 2015, the most recent year available, Ohio ranks 35<sup>th</sup> among the 50 states in economic freedom with a score of 6.7. That is up three places from 2016 when Ohio was ranked 38<sup>th</sup> and five places from 2015 when the state was ranked 40<sup>th</sup>. Included in the report is Buckeye's **Ohio Economic Freedom Fact Sheet**, which summarizes where Ohio ranks in various economic freedom policies and how it compares to neighboring states.

### **Ohio's Ranking in Key Areas**

#### **Government Spending - 41<sup>st</sup>**

- Consumption spending as a percent of personal income - 22<sup>nd</sup>
- Transfers and subsidies as a percent of personal income - 23<sup>rd</sup>
- Insurance and retirement payments as a percent of personal income - 47<sup>th</sup>

#### **Taxes - 26<sup>th</sup>**

- Income and payroll tax revenue as a percent of personal income - 27<sup>th</sup>
- Top income tax threshold \$208,500
- Property tax and other tax revenue as a percent of personal income - 20<sup>th</sup>
- Sales tax revenue as a percent of personal income - 34<sup>th</sup>

#### **Labor Market Freedom - 30<sup>th</sup>**

- Minimum wage income as a percent of per capita personal income - 36<sup>th</sup>
- Government employees as a percent of total employees - 12<sup>th</sup>
- Union density as a percent of total employees - 35<sup>th</sup>

The Fraser Institute has measured economic freedom in every state and province in the United States, Canada, and Mexico for 13 years, creating a comprehensive assessment of trends in economic freedom. The Buckeye Institute and its Economic Research Center co-published the report for the third year in a row.

The Fraser Institute and The Buckeye Institute are independent think tanks that research and advocate for free-market economic policies. The Buckeye Institute's Economic Research Center specializes in data analysis of state-level economic policies.

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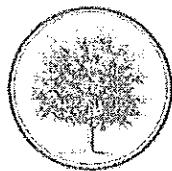
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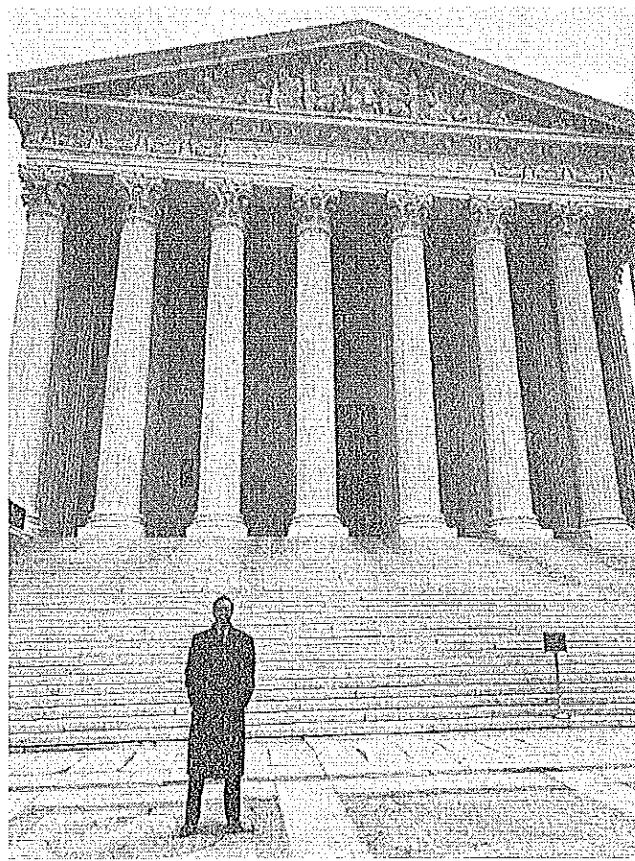
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**Buckeye's Robert Alt Issues Statement Following  
Oral Arguments in *Husted v. Randolph***

Columbus, OH - Robert Alt, president and chief executive officer at The Buckeye Institute and a member of the bar of the Supreme Court of the United States, issued the following statement after attending the oral arguments in *Husted v. A. Philip Randolph Institute*.

"This case hinges on the question of whether states have the authority to take reasonable steps to ensure the accuracy of their voter rolls, which is critical to ensuring the integrity of elections. In today's oral arguments, the justices' questions showed that they were deeply and appropriately concerned with assuring Ohio could continue to remove individuals who were deceased or who had moved from its voter rolls. This is exactly what Ohio's law allows."

"As we outlined in our **amicus brief**, the U.S. Constitution is clear in giving states sovereign authority over voter qualifications. Ohio has a significant interest in making sure that the votes of Ohio residents count and are not diluted by individuals who do not currently live in the voting precinct. If the Supreme Court were to prohibit Ohio's practice of sending confirmation notices to verify the residency of inactive voters, then the state's ability to enforce its residency requirement would be severely impaired to the detriment of Ohio's voters."



Alt takes a quick picture at the Supreme Court of the United States before heading in to hear oral arguments in *Husted v. Randolph*.

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January 22, 2018

# Wind Energy SmartBrief



News for wind power professionals and advocates

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## INDUSTRY UPDATE

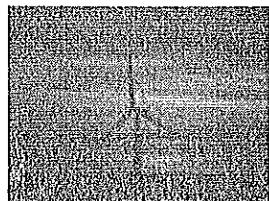
### N.M. utility negotiates wind PPAs for Facebook data center

The Public Service Co. of New Mexico asked the New Mexico Public Regulation Commission to approve two new long-term power purchase agreements with wind farms that would ultimately power Facebook's Los Lunas data center. Avangrid Renewables and NextEra Energy would build and operate the projects, selling the power to PNM for Facebook's use.

[Albuquerque Journal \(N.M.\) \(free content\)](#) (1/17)



## BNEF: Corporations signed 5.4 GW worth of renewable energy PPAs in 2017



(Patrik Stollarz/AFP/Getty Images)

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Corporations worldwide accounted for 5.4 gigawatts worth of long-term power purchase agreements signed with renewable energy projects in 2017, up from 4.3 GW in 2016, according to Bloomberg New Energy Finance. Of that total, 2.8 GW were signed in the US, up 19% year-over-year.

[ReNews \(UK\) \(1/22\)](#)



## Opinion: Colo. PUC can grow wind, solar via Xcel proposal

The Colorado Public Utilities Commission should approve Xcel Energy's Colorado Energy Plan because it would accelerate the adoption for wind and solar, along with the job creation, environmental and economic benefits they bring, write Trae Miller, Maggie Metzler and Trisha Herman, economic development directors, respectively, for Colorado's Logan, Yuma and Phillips counties. "We are truly blessed with these resources and we should seize on the opportunity to produce more electricity from the sun and wind so we can make our communities stronger," they write.

[The Denver Post \(1/19\)](#)



## PROJECT FOCUS

### DTE Energy eyes projects outside Mich. Thumb region

DTE Energy is considering building its next wind farm in Branch County, Mich., moving away from the Thumb region it's previously invested in, according to the company. Manager of Wind Development Matt Wagner said 120 landowners in Branch County have signed lease agreements, and that innovations in turbine technology are making areas with slower wind speeds increasingly attractive.

[Michigan Radio \(1/19\)](#)

